



**SOLID WASTE & RECYCLING
RULES & REGULATIONS**

(Revised as of May 9, 2013)

TABLE OF CONTENTS

	<u>PAGE</u>
I. AUTHORIZING RESOLUTIONS	1
II. ABBREVIATIONS & DEFINITIONS	
A. ABBREVIATIONS	16
B. DEFINITIONS	16
III. AUTHORITY SERVICE AREA	26
IV. DESCRIPTION OF THE AUTHORITY & THE SOLID WASTE SYSTEM	
A. THE AUTHORITY	28
B. THE SOLID WASTE SYSTEM	28
V. GENERAL PROVISIONS	
A. SCOPE OF RULES	32
B. CONSTRUCTION & SEVERABILITY	33
VI. GENERAL REGULATIONS & REQUIREMENTS	
A. SOLID WASTE COLLECTION AND DISPOSAL	35
1. Scope and Applicability	35
2. Residential Curbside Collection	35
3. Residential Side Yard Collection.....	37
4. Commercial, Institutional, Industrial and High Density Residential	39
5. Disposal of Solid Waste	41
B. BULKY WASTE COLLECTION AND DISPOSAL	41
1. Scope and Applicability	41
2. Collection	42
2.1 Residential	
2.2 Commercial, Institutional, Industrial and High Density Residential	
C. RECYCLABLE MATERIALS - COLLECTION AND DISPOSITION	43
1. Scope and Applicability	43

2.	Designated Recyclable Materials	45
3.	Residential Curbside Collection	47
4.	Residential Side Yard Collection	48
5.	Recycling of Designated Materials of Commercial, Institutional, Industrial and High Density Residential Facilities	50
6.	Recycling Requirements for Fairs, Concerts and Other Outdoor Events	52
7.	Recycling Enforcement	53
8.	Recycling Violations and Penalties.....	53
D.	E-WASTE	53
E.	REGULATED MEDICAL WASTE	54
	Scope and Applicability	54
F.	HAZARDOUS WASTE	54
	Scope and Applicability	54
G.	GREASE AND COOKING OILS	54

VII. ENFORCEMENT

A.	Scope of Enforcement	56
B.	Enforcement Objective and Goals	56
C.	Types of Enforcement Actions	57
D.	Inspections	59
E.	Inspection Procedures	59
F.	Violations and Imposition of Fines and Penalties.....	63

VIII-A. SCHEDULE OF CHARGES & FEES

A.	CLASSIFICATION OF USERS	65
B.	EXEMPT USERS	66
C.	SERVICE CHARGES & OTHER FEES	66

D.	NOTICE & METHOD OF PAYMENT	76
E.	INTEREST ON UNPAID SERVICE CHARGES & FEES AND SERVICE CHARGES FOR RETURNED CHECKS	77
F.	BILLING INQUIRIES & DISPUTES	77
G.	DETERMINATION OF BILLING UNITS	77
H.	REVISIONS TO SCHEDULE OF CHARGES & FEES	78
I.	COLLECTION & ENFORCEMENT FOR NON-PAYMENT OF SERVICE CHARGES & FEES	78
J.	VALIDITY	79
K.	EFFECTIVE DATE	79
VIII-B	DEP TARIFF.....	80
IX.	ALTERNATE SERVICE	
A.	SCOPE	82
B.	APPLICATION PROCEDURE	83
X.	SELF TRANSPORT SERVICE	
A.	SCOPE	88
B.	APPLICATION PROCEDURES	88
C.	REPORTING OBLIGATIONS	90

SECTION I
AUTHORIZING RESOLUTIONS

RESOLUTION NO. 84-2011

**RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
APPROVING REVISIONS TO THE SOLID WASTE AND RECYCLING
RULES & REGULATIONS GOVERNING OPERATION
OF THE SOLID WASTE SYSTEM
OF THE CITY OF PLAINFIELD**

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey, created by the Plainfield City Council pursuant to Ordinance MC-1995-19 and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the "MUA Law"), to implement and operate a municipal utilities authority to provide certain solid waste and recycling services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, on January 28, 2003, the Authority approved by Resolution No. 07-2003, an initial form of Solid Waste and Recycling Rules and Regulations governing the operation of the Solid Waste System (the "System") which Rules and Regulations have been subsequently amended; and

WHEREAS, there is a need to further update and revise the Solid Waste and Recycling Rules and Regulations; and

WHEREAS, the Authority has reviewed the revised proposed revisions to the Solid Waste and Recycling Rules and Regulations and desires to adopt and approve the revised Rules and Regulations for use in the Authority's operation and maintenance of the System.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby adopts and approves the revised Solid Waste and Recycling Rules and Regulations, as presented at its November 8, 2011 Meeting, governing the operation of the Solid Waste System.
3. A copy of this Resolution shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.
4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	X				
Rev. Tracey Brown	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Eugene Dudley (#2)	X				

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting thereof duly called and held on Tuesday, November 8, 2011.

CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 90-2011

**RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
APPROVING AMENDMENTS TO THE AUTHORITY'S SCHEDULE OF
SOLID WASTE SERVICE CHARGES AND FEES**

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 (the "Creation Ordinance") and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the "MUA Law"), to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority is required, pursuant to the MUA Law, to maintain a schedule of all its service charges and fees with respect to the Authority's Solid Waste System (the "Solid Waste System"); and

WHEREAS, the Authority developed an initial Schedule of Service Charges and Fees (the "Schedule") with respect to the Solid Waste System on July 11, 1997, and the Schedule has been amended over the years from time to time by the Authority; and

WHEREAS, there is a desire to further amend the Schedule to reflect (a) the incorporation of the recently approved Tariff for the Transfer Station/MRF by the Department of Environmental Protection which sets forth maximum rates for governing the services furnished by the Authority for the disposal and transportation of Waste Types 10, 13, 13C, 23 and 27 received at the Authority's Transfer Station/MRF; and (b) a reduction in rates charged for Roll-Off Services, all as set forth in the Authority's Public Notice; and

WHEREAS, the Authority is required to hold a Public Hearing and provide public notice prior to implementing and adopting any changes to such Schedule; and

WHEREAS, a Public Hearing was held by the Authority on December 13, 2011 at the Authority's offices on the proposed adjustments to the Schedule; and

WHEREAS, a presentation was made and evidence presented at the hearing by T&M Associates, the Authority's Solid Waste Consulting

Engineers, to establish that the proposed rate and fee changes to the Service Charges are fair, necessary and reasonable; and

WHEREAS, an opportunity for cross-examination of the presenters was provided and a transcript of the Public Hearing will be made; and

WHEREAS, notice of the Public Hearing was published in the Newark Star Ledger on November 17, 2011 and in the Courier News on November 17, 2011 and a copy provided to the Clerk of the City of Plainfield for posting; and

WHEREAS, the Commissioners, having heard testimony and evidence presented, have determined that the proposed changes to the rates and fees as presented at the Public Hearing are fair, necessary and reasonable; and

WHEREAS, the Commissioners desire to adopt the Amended Schedule effective immediately with respect to the rates charged under the Tariff and effective January 1, 2012 with respect to the rate reduction involving the rate for Roll-Off Service.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby approves and adopts the proposed rate and fee changes to the Schedule of Service Charges and Fees for the Solid Waste System as presented at the December 13, 2011 Public Hearing.
3. A copy of this Resolution together with a copy of the Amended Schedule of Service Charges and Fees shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.
4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	X				
Rev. Tracey Brown				X	
Malcolm R. Dunn				X	
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)	X				

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at Public Hearing thereof duly called and held on Tuesday, December 13, 2011.

CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 1-2012

RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
APPROVING AMENDMENTS TO THE AUTHORITY'S SCHEDULE OF
SOLID WASTE SERVICE CHARGES AND FEES

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 (the "Creation Ordinance") and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the "MUA Law"), to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority is required, pursuant to the MUA Law, to maintain a schedule of all its service charges and fees with respect to the Authority's Solid Waste System (the "Solid Waste System"); and

WHEREAS, the Authority developed an initial Schedule of Service Charges and Fees (the "Schedule") with respect to the Solid Waste System on July 11, 1997, and the Schedule has been amended over the years from time to time by the Authority; and

WHEREAS, there is a desire to further amend the Schedule to reflect (a) an increase in the discount given to qualified senior and disabled residents from 10% to 15% for solid waste services; and (b) ratification of the Commercial low generator solid waste rate at \$116.38 per quarter, all as set forth in the Authority's Public Notice; and

WHEREAS, the Authority is required to hold a Public Hearing and provide public notice prior to implementing and adopting any changes to such Schedule; and

WHEREAS, a Public Hearing was held by the Authority on January 10, 2012 at the Authority's offices on the proposed adjustments to the Schedule; and

WHEREAS, a presentation was made and evidence presented at the hearing by T&M Associates, the Authority's Solid Waste and Sewer Consulting Engineers, to establish that the proposed rate and fee changes to the Service Charges are fair, necessary and reasonable; and

WHEREAS, an opportunity for cross-examination of the presenters was provided and a transcript of the Public Hearing will be made; and

WHEREAS, notice of the Public Hearing was published in the Newark Star Ledger on December 20, 2012 and in the Courier News on December 20, 2012 and a copy provided to the Clerk of the City of Plainfield for posting; and

WHEREAS, the Commissioners, having heard the testimony and evidence presented, have determined that the proposed changes to the rates and fees as presented at the Public Hearing are fair, necessary and reasonable; and

WHEREAS, the Commissioners desire to adopt the Amendments to the Schedules effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby approves and adopts the proposed rate and fee changes to the Schedule of Service Charges and Fees for the Solid Waste System as presented at the January 10, 2012 Public Hearing.

3. A copy of this Resolution together with a copy of the Amended Schedules of Service Charges and Fees shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	X				
Rev. Tracey Brown				X	
Malcolm R. Dunn	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)	X				

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at Public Hearing thereof duly called and held on Tuesday, January 10, 2012.

CAROL ANN BROKAW, SECRETARY

RESOLUTION NO. 26-2012

**RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
APPROVING AMENDMENTS TO THE AUTHORITY'S
SOLID WASTE AND RECYCLING RULES AND REGULATIONS**

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 (the "Creation Ordinance") and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the "MUA Law"), to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority has adopted Solid Waste and Recycling Rules and Regulations governing its Solid Waste System; and

WHEREAS, there is a need to amend the Rules and Regulations to reflect certain changes as discussed by Counsel, that were recommended by the County of Union and Staff; and

WHEREAS, the changes do not involve any changes to rates or fees, and therefore a Public Hearing is not required prior to implementing and adopting such changes; and

WHEREAS, the changes have been reviewed with the Board and the Commissioners desire to adopt the changes effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby approves and adopts the proposed changes as discussed by Counsel, to the Authority's Solid Waste and Recycling Rules and Regulations.
3. A copy of this Resolution together with a copy of the Amended Solid Waste and Recycling Rules and Regulations shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.
4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	X				
Rev. Tracey Brown	X				
Malcolm R. Dunn	X				
Harold Mitchell	X				
Alex Toliver	X				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)					X

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Reorganization Meeting of the Authority held on Tuesday, February 14, 2012.

CAROL A. BROKAW, SECRETARY

RESOLUTION NO. 65-2012

**RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
APPROVING AMENDMENTS TO THE AUTHORITY'S
SOLID WASTE AND RECYCLING RULES AND REGULATIONS**

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 (the "Creation Ordinance") and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the "MUA Law"), to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority has adopted Solid Waste and Recycling Rules and Regulations governing its Solid Waste System; and

WHEREAS, there is a need to amend the Rules and Regulations to reflect certain changes as discussed by Counsel to the Recycling Rules; and

WHEREAS, the changes do not involve any changes to rates or fees, and therefore a Public Hearing is not required prior to implementing and adopting such changes; and

WHEREAS, the changes have been reviewed with the Board and the Commissioners desire to adopt the changes effective immediately.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Authority hereby approves and adopts the proposed changes as discussed by Counsel, to the Authority's Solid Waste and Recycling Rules and Regulations.
3. A copy of this Resolution together with a copy of the Amended Solid Waste and Recycling Rules and Regulations shall be available for public inspection at the offices of the Plainfield Municipal Utilities Authority.
4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	x				
Rev. Tracey Brown	x				
Malcolm R. Dunn	x			x	
Harold Mitchell					
Alex Toliver	x				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)	x				

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at the Regular Meeting of the Authority held on Tuesday, June 12, 2012.

CAROL A. BROKAW, SECRETARY

RESOLUTION NO. 113-2012

**RESOLUTION OF THE PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
APPROVING AMENDMENTS TO THE AUTHORITY'S SCHEDULE OF
SOLID WASTE SERVICE CHARGES AND FEES**

WHEREAS, The Plainfield Municipal Utilities Authority (the "Authority") is a public body corporate and politic of the State of New Jersey and was created by the Plainfield City Council pursuant to Ordinance MC-1995-19 (the "Creation Ordinance") and in accordance with the Municipal and County Utilities Authorities Law, N.J.S.A. 40:14B-1 et seq. (the "MUA Law"), to implement and operate a municipal utilities authority which will provide certain solid waste and sewerage services to the inhabitants of the City of Plainfield (the "City"); and

WHEREAS, the Authority is required, pursuant to the MUA Law, to maintain a schedule of all its service charges and fees with respect to the Authority's Solid Waste System (the "Solid Waste System"); and

WHEREAS, the Authority developed an initial Schedule of Service Charges and Fees (the "Schedule") with respect to the Solid Waste System on July 11, 1997, and the Schedule has been amended over the years from time to time by the Authority; and

WHEREAS, there is a desire to further amend the Schedule to reflect certain adjustments to reduce certain rates charged for Solid Waste services as set forth in the Authority's Public Notice and as set forth below:

<u>SHARED SERVICES ADJUSTMENTS</u>	<u>PROPOSED NEW RATE AS OF 4/1/2013</u>
Per Lot	\$50.61 per Quarter
Per Household	\$29.69 per Quarter
Total (Avg. Single family)	\$80.30 per Quarter
<u>LOW DENSITY</u>	
Per Lot	\$110.16 per Quarter
Per Household	\$ 74.84 per Quarter
Total (Avg. Single family)	\$185.00 per Quarter
<u>CONTAINER SERVICE RATES</u>	
Disposal Fee	\$100.26 per Quarter
Collection Fee	\$227.65 per Quarter
Basic Container Service Fee	\$327.91 per Quarter

WHEREAS, the Authority is required to hold a Public Hearing and provide public notice prior to implementing and adopting any changes to such Schedule; and

WHEREAS, a Public Hearing was held by the Authority on December 27, 2012 at the Authority's offices on the proposed adjustments to the Schedule; and

WHEREAS, a presentation was made and evidence presented at the hearing by T&M Associates, the Authority's Solid Waste Consulting Engineers, to establish that the proposed rate reductions to certain Service Charges are necessary and reasonable; and

WHEREAS, an opportunity for cross-examination of the presenters was provided and a transcript of the Public Hearing will be made; and

WHEREAS, notice of the Public Hearing was published in the Newark Star Ledger on November 30, 2012 and in the Courier News on November 30, 2012 and a copy provided to the Clerk of the City of Plainfield for posting; and

WHEREAS, the Commissioners, having heard testimony and evidence presented, have determined that the proposed rate adjustments as presented at the Public Hearing are necessary and reasonable; and

WHEREAS, the Commissioners desire to adopt an Amended Schedule of Service Charges, effective April 1, 2013, with respect to the adjustments to such rates.

NOW, THEREFORE, BE IT RESOLVED by the Plainfield Municipal Utilities Authority as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Authority hereby approves and adopts the proposed adjustments to rates to the Schedule of Service Charges and Fees for the Solid Waste System as presented at the December 27, 2012 Public Hearing.

3. A copy of this Resolution together with a copy of the Amended Schedule of Service Charges and Fees shall be available for

public inspection at the offices of the Plainfield Municipal Utilities Authority.

4. This Resolution shall take effect immediately.

RECORDED VOTE:

REGULAR MEMBERS	YES	NO	ABSTAIN	NOT PRESENT	ALTERNATE PRESENT NOT VOTING
Carol Ann Brokaw	x				
Rev. Tracey Brown	x				
Malcolm R. Dunn				x	
Harold Mitchell	x				
Alex Toliver	x				
ALTERNATE MEMBERS					
Cecil H. Sanders, Jr. (#2)				x	

The following Resolution is a true and complete copy of a Resolution of the Plainfield Municipal Utilities Authority adopted at Public Hearing thereof duly called and held on Thursday, December 27, 2012.

CAROL ANN BROKAW, SECRETARY

SECTION II

ABBREVIATIONS & DEFINITIONS

ABBREVIATIONS & DEFINITIONS

A. ABBREVIATIONS

NJDEP/DEP	The New Jersey Department of Environmental Protection
AUTHORITY	Plainfield Municipal Utilities Authority
UCUA	Union County Utilities Authority

B. DEFINITIONS

The following words and terms when used in these Rules, Regulations and Standards shall have the following meanings unless the context clearly indicates otherwise.

“Abatement Service” shall mean the clean-up services requested by the City to be provided by or on behalf of the Authority to properties located within the boundaries of the City of Plainfield.

“Act” shall mean the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq., as amended and supplemented.

“Alternate Service Provider” shall mean any person, other than the Authority, authorized by the Department of Environmental Protection to provide collection and disposal services for Solid Waste, Bulky Waste and Recyclable Materials in the City of Plainfield.

"Alternate Services" shall mean the collection and disposal of Solid Waste, Bulky Waste and Recyclable Materials by an Alternate Service Provider.

“Aluminum” shall mean all products made of aluminum including aluminum cans, foil, wrappers, containers for prepared dinners or other foods.

“Aluminum Cans” shall mean non-foil food and beverage containers made entirely of aluminum.

"Animal Waste" shall mean waste materials generated in canneries, slaughterhouses, packing plants or similar industries, including animal manure when intended for disposal and not reuse referred to as Type 25 waste under N.J.A.C. 7:26-2.13(g)1.vi.

“Applicant” shall mean the Owner or Occupant who submits an application to the Authority for approval to utilize an Alternate Service Provider.

“Application” shall mean the designated form of the Authority required by the Authority to be completed by a City property owner for Alternate Services.

“Approved Application” means the Application submitted by a property owner that has been reviewed and approved by the Authority.

"Authority" shall mean The Plainfield Municipal Utilities Authority.

“Authority Complaint Form” shall mean the form utilized by the Authority to set forth and describe a Complaint.

“Authority Inspector” shall mean the enforcement personnel, employees, agents or independent contractor responsible for conducting an inspection of properties within the Authority Service Area for the purpose of monitoring compliance with these Rules and Regulations.

“Authority Inspection Schedule” shall mean the schedule devised by the Executive Director of the Authority or his designee for the purpose of establishing the date, time and deployment of personnel and resources for the inspection of properties within the Authority Service Area.

“Authority’s Service Area” shall mean that geographic area defined in Section III.

"Authorized Recycling Facility" shall mean a facility or facilities designated by the Authority for the delivery of Recyclable Materials or in the case where Alternate Services are provided, a facility authorized by the DEP for the delivery and acceptance of Recyclable Materials.

"Authorized Solid Waste Facility" shall mean a properly registered and licensed facility or facilities designated by the Authority as the disposal or transfer site for the delivery of Solid Waste, or in the case where Alternate Services are provided, the facility designated by the UCUA as the disposal or transfer site for the delivery of Solid Waste.

“Brush” shall mean branches, woody plants, and other like vegetative material that does not exceed five inches in diameter, and Christmas trees. Brush does not include leaves and grass clippings.

"Bulky Waste" shall mean large items of waste material, exceeding the capacity of the Authority-issued Receptacle, referred to as Type 13 waste under N.J.A.C. 7:26-2.13(g)1.iii. Specifically excluded from this definition are building waste materials and rubble resulting from construction and demolition operations on structures. Also excluded are automobiles, trucks, vehicles, and vehicle parts. Designated Bulky Waste materials include but are not limited to:

furniture, tires and appliances.

“Bulky Waste Collection Schedule” shall mean the collection schedule authorized by the Authority with respect to the collection of Bulky Waste.

“Certified Disposal Weight” shall mean the difference between the Certified Tare Weight and the Certified Loaded Weight of the Solid Waste or Recyclable Materials.

“Certified Tare Weight” shall mean the weight of the Collection Vehicle, empty of any material in the body, as determined by the Transfer Station scale.

“Certified Loaded Weight” shall mean the weight of the Collection Vehicle prior to discharge of its load, as determined by the Transfer Station scale.

"City" shall mean the City of Plainfield.

“City Business District” shall mean the designated business area identified in Appendix A.

“City Parks” shall mean the designated City parks identified in Appendix B.

“City Zone” shall mean the designated segment or particular area of the City set forth in the map in Appendix C.

"Collection" or "Collection Services" shall mean the activity related to the Collection of Solid Waste and Recyclable Materials from the Collection Site.

“Collection Day” shall mean the day(s) designated by the Authority for the Collection of Solid Waste and Recyclable Materials.

“Collection Route” shall mean the route authorized by the Authority for the collection of Solid Waste and Recyclable Materials.

“Collection Schedule” shall mean the collection schedule authorized by the Authority with respect to the Collection of Solid Waste and Recyclable Materials.

“Collection Site” shall mean the location, as determined by the Authority as set forth herein, where Solid Waste and Recyclable Materials Receptacles are to be placed on Collection Day for Curbside Collection.

“Collection Vehicle” shall mean a registered vehicle authorized to collect and transport Solid Waste and Recyclable Materials in the City.

“Commercial facilities” shall mean those facilities conducting business primarily for the

retail sector.

“Commingled Designated Recyclable Materials” shall mean a combining of Designated Recyclable Materials for the purpose of Recycling.

“Compacted Container Service” shall mean collection services involving the use of mechanical means to compress Solid Waste prior to storage in the container for disposal.

"Compostable Materials" shall mean organic waste materials specifically designated by the Authority for composting, including but not limited to, leaves, branches, brushes and limbs.

"Construction and Demolition Waste" shall mean the waste building material and rubble resulting from construction, remodeling, repair and demolition operations, referred to as Type 13C waste under N.J.A.C. 7:26-2.13(g)1.iv.

“Container Service” shall mean Collection Services involving the use of standard Solid Waste containers of a volume of one cubic yard or more.

“Corrugated cardboard” shall mean boxes and packaging generally made from wood pulp and consisting of two smooth sides with a corrugated inner layer.

“County Solid Waste Management Plan” shall mean the Solid Waste Management Plan adopted by the County of Union as amended and supplemented.

“Covered E-Waste” shall mean such Electronic Waste as designated by New Jersey’s Electronic Waste Management Act which are banned by law from the waste stream.

“Creation Ordinance” shall mean Ordinance No. MC-1995-19 which was adopted by the City Council of the City of Plainfield on September 18, 1995 and provided for the creation of the Plainfield Municipal Utilities Authority.

“Curbside” shall mean the area fronting a residential property, from the edge of the roadway to the sidewalk, within the boundaries of the property.

“Curbside Collection” shall mean the Collection of Solid Waste and Recyclable Materials from Curbside.

“Designated Recyclable Materials” shall mean those Recyclable Materials designated within the Union County District Solid Waste Management Plan to be separated at the source, for purposes of Recycling, in accordance with the Recycling Act.

"Disposal" or "Disposal Services" shall mean the act of delivering and discharging collected Solid Waste at an Authorized Solid Waste Facility.

“Disposition” or “Disposition of Designated Recyclable Materials” shall mean the delivery, transportation, placement, reuse, sale, transfer of Designated Recyclable Materials for all possible uses except disposal as Solid Waste.

“E-Waste” shall mean Electronic waste involving a computer central processing unit and associated hardware including, but not limited to, keyboards, modems, printers, scanners and fax machines, a cathode ray tube, a cathode ray tube device, flat panel display or similar device with a screen that is greater than four (4) inches measured diagonally and that contains one more circuit boards, televisions and all cell phones.

“Exempt Users” shall mean those users of the Solid Waste System who are exempt from the Authority’s Service Charges and Fees.

“External Users” shall mean a user of the Solid Waste System situated outside of the political boundaries of the City of Plainfield.

“Glass containers” shall mean all glass containers used for packaging food or beverages. The same may be transparent or translucent and/or tinted brown or green.

"Hauling" or "Hauling Services" shall mean the act of legally transporting Solid Waste and Designated Recyclable Materials from the point of generation or from the Collection Site to an Authorized Solid Waste Facility or Authorized Recycling Facility.

"Hazardous Waste" shall mean waste listed in N.J.A.C. 7:26-8 and wastes known as household hazardous waste, including but not limited to, used motor oil, mercury switches, dry cell and button batteries, pesticides, vehicular batteries, herbicides, oil based paints and varnishes, pool chemicals, solvents and thinners, propane tanks, fluorescent bulbs, fire extinguishers, antifreeze, caustics, corrosives and cleaners.

"High Density Residential Unit" shall mean a residential unit that houses ten (10) or more families or households.

"Holiday" shall mean New Year’s Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving and Christmas, or any other day so designated by the Authority.

“Industrial Facility” shall mean those facilities such as factories, warehouses and businesses involved primarily in manufacturing distribution or storage of goods.

"Industrial Waste" shall mean waste materials resulting from manufacturing, industrial and research and development processes and operations, and which are not hazardous in accordance with the standards and procedures set forth at N.J.A.C. 7:26G. Also included are nonhazardous oil spill cleanup waste, dry nonhazardous pesticides, dry nonhazardous chemical waste, and residue from the

operations of a scrap metal shredding facility referred to as Type 27 waste under N.J.A.C. 7:26-2.13(g)1.vii.

“Inspection Form” shall mean the form utilized by an Authority Inspector that is completed for each inspection.

“Institutional Facilities” shall mean schools, hospitals, places of worship and government facilities as designated by the Authority.

“Interlocal Agreement” shall mean the agreement executed by and between the Authority and the City in connection with, among other things, the assumption of Solid Waste and Recycling Services by the Authority.

“Leaves” shall mean foliage that has fallen from trees. Leaves do not include brush and grass clippings.

“Mixed paper” shall mean glossy inserts, magazines, junk mail, colored paper, computer paper, office paper and fine paper.

“Mixed Use Properties” shall mean those properties consisting of both Commercial establishments and Residential households on the same tax lot and block.

“Motor oil” shall mean discarded petroleum based or synthetic lubricating oil from automobile and other engines.

"MUA Law" shall mean the Municipal and County Utilities Authorities Act N.J.S.A. 40:14B-1 et seq., as amended and supplemented.

"Municipal Facilities" shall mean the buildings, structures and parks owned, leased, rented and/or operated by or on behalf of the City.

“Newspapers” shall be deemed to include papers of the type commonly referred to as newsprint, with colored inserts such as comics or advertisements. “Newspapers” do not include magazines, periodicals, books and such other paper products of every nature.

“Occupant” shall mean the owner, agent, tenant, resident, lessee, caregiver, or any other such person charged with a responsibility of any premises located within the Authority Service Area.

“Paper” shall mean all paper grades, including but not limited to, newspapers, magazines, office paper, computer ledger, mixed paper and cardboard.

“Person” shall mean any person, association, corporation, nation, state or any agency or subdivision thereof, including a county, or municipality of the State or a municipal authority.

“Plastic containers” shall mean soda bottles made of PET (SPI code #1) and milk, water and laundry product bottles made of HDPE (SPI code #2).

“Property Owner” or “Owner” shall mean any person who has legal title to any dwelling, with or without accompanying actual possession thereof; or, who has equitable title and is either in actual possession or collects rents therefrom; or, who as executor, executrix, trustee, guardian, or receiver of the estate of the owner, or as mortgagee or as vendee in possession either by virtue of a court order or by agreement or voluntary surrender of the premises by the person holding the legal title, or as collector of rents, has charge, care or control of any dwelling or rooming house.

“Public Place” shall mean any area that is used or held out for use by the public, whether owned or operated by public or private interests.

“Receptacle” shall mean a container or dumpster suitable for the depositing of Solid Waste or Recyclable Materials.

"Recyclable Materials" shall mean those materials used and discarded by the Owner or Occupant, which would otherwise become Solid Waste, which may be collected, separated or processed and returned to the economic mainstream for recovery and for the purpose of reclamation of all or a significant portion of the materials or products.

“Recycling” means any process by which materials that would otherwise be disposed of as Solid Waste are separated, collected, processed and returned to the economic mainstream or converted into economically valuable materials or products.

“Recycling Act” means the New Jersey Statewide Mandatory Source Separation and Recycling Act, N.J.S.A. 13:1E-99.32.

“Recycling Coordinator” shall mean the person designated by the Authority to oversee the Authority’s Recycling efforts in the City and to represent the Authority and the City with respect to Recycling in the City.

"Recycling Services" shall mean the collection of Recyclable Materials from the Collection Site and the delivery of such materials to the Authorized Recycling Facility.

"Regulated Medical Waste" shall mean waste that is defined as infectious by the New Jersey State Department of Health and referred to as Type 28 waste under N.J.A.C. 7:26-2.13(i)13.

"Residential Unit" shall mean a recorded lot and block within the political boundaries of the City with a residential land use and structure which houses less than ten (10) families or households.

“Rules and Regulations” shall mean these Solid Waste Rules and Regulations of the

Authority governing Solid Waste and Recycling activity in the Authority's Service Area.

“Service Charges and Fees” shall mean the rents, rates, fees or other charges imposed by the Authority for the use or services of the Authority Solid Waste System, which may be charged to and collected by the Authority from any person contracting for such use or services from the Owner or Occupant, or both of them of any real property which directly or indirectly uses or has used the Authority Solid Waste System or from or on which originates or has originated any Solid Waste, Designated Recyclable Materials, or any other wastes to be handled by the Authority Solid Waste System.

“Side Yard Collection” shall mean the collection of Solid Waste and Designated Recyclable Materials from the Side Yard Collection Site of the Residential Unit.

“Side Yard Collection Site” shall mean the location, as determined by the Authority, where Solid Waste and Designated Recyclable Materials are to be placed on Collection Day for Side Yard Collection.

"Solid Waste" shall mean any garbage, refuse, trash or other waste material discarded or intended to be discarded by the user as further defined as Type 10 waste under N.J.A.C. 7:26-2.13(g)1. Excluded from this definition are Recyclable Materials, Compostable Materials, Hazardous Waste, Bulky Waste, Infectious Waste, Industrial Waste, Construction & Demolition Waste, Animal Waste and Vegetative Waste.

"Solid Waste Services" shall mean the collection of Solid Waste from the Collection Site and the delivery of such waste to an Authorized Solid Waste Facility.

“Solid Waste System” shall mean the comprehensive solid waste system developed, owned, operated, financed, implemented and maintained by or on behalf of the Authority as described in more detail in the Interlocal Agreement, including solid waste service agreements with any person, for the collection, transfer, processing, disposal and/or recycling of Solid Waste, including but not limited to, transfer stations, recycling facilities, facilities for composting of Solid Waste, sanitary landfill facilities and ancillary facilities or other property or plants for the collection, transfer, disposal or recycling of Solid Waste and all vehicles, equipment, and other real or personal property and rights therein and appurtenances necessary or useful and convenient for the collection, transfer, recycling or disposal of solid waste in a sanitary manner.

“Source separated or separation” shall mean the process by which Designated Recyclable Materials are separated at the source or point of generation, by the generator thereof from Solid Waste, for the purposes of Recycling.

“Steel cans” shall mean food and beverage containers including those made of steel, bi-metal, tin plated and other ferrous materials.

“Textiles” shall mean clean, dry clothing or other fabric measuring at least one foot by one foot in size.

"Transfer Station / MRF" shall mean the transfer station/ material recovery facility operated by the Authority located at 87-95 Rock Avenue, Plainfield, New Jersey.

“Transportation Route” shall mean the route authorized by the Authority for the transportation of Solid Waste and Recyclable Materials to an Authorized Solid Waste Facility and an Authorized Recycling Facility.

“Vacant Property” shall mean any lot within the City of Plainfield with no structures developed on the property.

"Vegetative Waste" shall mean waste materials from farms, plant nurseries and greenhouses that are produced from the raising of plants. This waste includes such crop residues as plant stalks, hulls, leaves and tree wastes processed through a wood chipper. Also included are non-crop residues such as leaves, grass clippings, tree parts, shrubbery and garden wastes referred to as Type 23 waste under N.J.A.C. 7:26-2.13(g)1.v.

“Waste paper products” shall mean all uncontaminated paper material such as used newspaper, magazines, books, paper, food cartons, cardboard boxes, wrapping paper, bags and discarded letters and envelopes.

“White goods” shall mean household appliances.

“Yard debris” shall refer to and include wood (except tree stumps), branches, grass clippings, soil and other yard waste, but shall not include leaves (defined as Vegetative Waste).

SECTION III

AUTHORITY SERVICE AREA

PLAINFIELD MUNICIPAL UTILITIES AUTHORITY
SERVICE AREA

The Authority is authorized pursuant to the Creation Ordinance and the terms of the Interlocal Agreement to operate and maintain and, to the extent the Authority deems feasible and necessary, enlarge the Solid Waste System, so as to collect, treat, process, recycle and dispose of Solid Waste and Recyclable Materials generated within or without the geographic boundaries of the City of Plainfield.

SECTION IV

DESCRIPTION OF THE AUTHORITY & THE SOLID WASTE SYSTEM

A. THE AUTHORITY

The Authority is a public body politic and corporate, which was created by the unanimous consent and approval of the Plainfield City Council on September 18, 1995 by City Ordinance MC-19-1995. The Authority is a municipal utilities authority as contemplated and provided for by the MUA Law and has all the powers and duties provided for by the MUA Law and any other statutes heretofore or hereafter enacted and applicable thereto. The Authority is responsible for the provision of Solid Waste Services and facilities within the Authority Service Area in a manner consistent with the Act, and the Recycling Act, and in conformance with the Union County Solid Waste Management Plan including, without limitation, the collection and remarketing of Recyclable Materials, the collection and disposal of Solid Waste, the collection and disposal of Bulky Waste and the operation and maintenance of the Transfer Station / MRF, and as applicable, the provision of other such services including, but not limited to, the operation and maintenance of utility systems owned by other governments and municipalities through contracts with said governments and municipalities.

B. THE SOLID WASTE SYSTEM

The Solid Waste System (the “System”) is the comprehensive system developed, owned, operated, financed, implemented and maintained by or on behalf of the Authority, including solid waste services agreements with any person, for the collection, transfer, processing, disposal and/or recycling of Solid Waste, including, but not limited to, transfer stations, recycling facilities, facilities for composting of solid waste, sanitary landfill facilities or other property or plants for the collection, transfer, disposal or recycling of Solid Waste and all vehicles, equipment and other real or personal

property and rights therein and appurtenances necessary or useful and convenient for the collection, transfer, recycling or disposal of solid waste in a sanitary manner. The System encompasses the following service components:

1. Comprehensive Solid Waste and Bulky Waste Collection and Disposal Services and Collection and Disposition of Recyclable Materials (excluding Hazardous and Regulated Medical Waste).

2. Disposal of Leaves, Brush, wood and street sweepings delivered to the Transfer Station;

3. Disposal of Construction and Demolition Waste and Industrial Waste;

4. Collection and Disposal of Solid Waste and the Collection and Recycling of Recyclable Materials generated by Municipal Facilities, including municipal garbage cans located throughout the City and City Parks;

5. A comprehensive City-wide inspection, monitoring and enforcement program to ensure that (a) Solid Waste in the City is properly collected and disposed; (b) Solid Waste and Recyclable Materials collected by the Authority for disposal and/or other disposition is properly placed by property owners for such collection; (c) those property owners in the City who elect to utilize an Alternate Service Provider for the Collection and Disposal and/or Disposition of their Solid Waste, Bulky Waste and Recyclable Materials, have and continue to maintain the services of a legitimate Alternate Service Provider;

6. City-wide Abatement service involving the cleanup and disposal of Solid Waste and other debris from abandoned properties and other properties in the City, as identified by the City to the Authority, that, in the belief of the City pose health or safety problems to the City;

7. Maintenance and operation of the Rock Avenue Transfer Station / MRF;

8. Oversight and enforcement of Solid Waste and Recycling activities within the City to ensure compliance with the Authority's Rules and Regulations; and
9. Other services as authorized by the Authority.

SECTION V

GENERAL PROVISIONS

GENERAL PROVISIONS

A. SCOPE OF RULES.

Unless otherwise provided by law, these Rules and Regulations shall constitute the Rules and Regulations of the Authority and shall govern those activities and actions in the Authority's Service Area, as specifically authorized under the MUA Law, Plainfield City Ordinance MC-1995, the Interlocal Agreement, the Act, the Recycling Act, and all other applicable federal, state, county and local laws, rules, regulations, and orders as such may be amended or supplemented from time to time, which involve the generation, handling, treatment, processing, Collection and Disposal of Solid Waste and the Collection, Disposition and Recycling of Recyclable Materials. Responsibility for compliance with these Rules and Regulations shall be with the Owner and Occupant of any real property located within the Authority's Service Area. It is not the intent of these Rules and Regulations to provide or convey to the Authority, any powers, rights or obligations not specifically provided for and authorized under the MUA Law, Ordinance MC-1995, the Interlocal Agreement or any other applicable law. The Owner shall ultimately be accountable for compliance with these Rules and Regulations with respect to any property located within the Authority's Service Area.

The Authority may at anytime, and shall as required by and in conformity with applicable law, promulgate, issue, publish and from time to time amend and enforce these Rules and Regulations. As specifically set forth in Article VII, Section 701 of the Interlocal Agreement, the City has agreed to fully conform with such Rules and Regulations and fully cooperate with the Authority to cause the same to be fully observed and conformed within the geographic boundaries of the City. Additionally, as set forth in Article V, Section 504 of the Interlocal Agreement, the City

has agreed to cooperate with the Authority in the enforcement of these Rules and Regulations to ensure the safe and sanitary collection and disposal of Solid Waste.

B. CONSTRUCTION AND SEVERABILITY.

(i) These Rules and Regulations shall be liberally construed to permit the Authority to discharge its statutory and contractual functions.

(ii) These Rules and Regulations are intended to govern activity solely with respect to the Authority's responsibilities and obligations regarding its operation and maintenance of the Solid Waste System as specifically set forth in the Plainfield City Ordinance, MC-1995, the Interlocal Agreement and the MUA Law. It is not the intent of these Rules and Regulations to prevent, inhibit or interfere with those City obligations and responsibilities, that (a) are not specifically transferred, conveyed or assigned to the Authority pursuant to the Interlocal Agreement and (b) may directly or indirectly involve some aspect of the Solid Waste System.

(iii) If any section, subsection, provision, clause or portion of the Rules and Regulations are adjudged unconstitutional or invalid in any judicial or administrative proceeding, such decision shall be confined in its operation to the section, subsection, provision, clause or portion or application directly involved in the controversy in which such judgment shall have been rendered and it shall not affect or impair the remainder of these Rules and Regulations or the application thereof to other persons.

SECTION VI

GENERAL REGULATIONS & REQUIREMENTS

A. SOLID WASTE COLLECTION AND DISPOSAL

(1) Scope and Applicability

All Solid Waste generated in the City shall be collected and removed by the Authority or by an Alternate Service Provider in accordance with these Rules and Regulations. Only Solid Waste as defined in Section II shall be collected by the Authority, provided that the materials are prepared, maintained and stored in the manner required herein. The Authority does not have jurisdiction to collect Hazardous Waste and Regulated Medical Waste. Consequently, these Wastes shall not be placed in the Receptacles intended for Solid Waste or Recyclable Materials collection by the Authority. If such waste is placed in the Receptacle for Solid Waste or Recyclable Materials, and the Authority is able to identify that the source of the illegally disposed of Medical or Hazardous Waste is from the Owner or Occupant of the property, said Owner or Occupant shall be held responsible for any associated disposal costs of such materials.

To ensure the effective operation of the Solid Waste System, the Authority shall establish, amend and supplement from time to time, such Rules and Regulations as may be necessary or expedient to carry out the intent of such Rules and Regulations herein.

(2) Residential Curbside Collection of Solid Waste

The Owner or Occupant of a Residential Unit located within the Authority Service Area, shall place all Solid Waste for Curbside Collection in the designated Receptacles provided by the Authority and place such Receptacles at Curbside on the Collection Day. No waste material shall be placed in a Receptacle that does not completely fit within the Receptacle.

The Receptacles placed for Curbside Collection of Solid Waste shall not include Designated Recyclable Materials. These Receptacles shall also not include Construction and Demolition Waste

that results from the construction, rehabilitation or renovation of a property. An Owner or Occupant who constructs, rehabilitates or renovates a building or structure in the City pursuant to a permit from the City or agency of the City, shall either separately contract with the Authority for Roll-off Container Service at an additional fee, or utilize an Alternate Service Provider for the removal of Construction and Demolition Waste. If an Alternate Service Provider is to be used to collect and dispose of Construction and Demolition Waste resulting from the permitted construction work, the Owner or Occupant shall obtain and complete an Application for Alternate Service, pursuant to Section IX herein.

Applications for Alternate Service may be obtained from the City or municipal agency issuing such permits or directly from the Authority. The Applicant must return the completed Application to the Authority, pursuant to the instructions provided therein.

(a) Receptacles for Solid Waste

(i) The Authority shall provide each Residential Unit with a standard Receptacle to store Solid Waste for placement at Curbside on Collection Day.

(ii) The Owner or Occupant of the Residential Unit shall be responsible for keeping the assigned Receptacle in his/her possession; and shall be responsible for keeping the Receptacle clean and odor free by washing it out on a quarterly basis. The Authority shall be responsible for general maintenance of the Receptacle, including replacement of malfunctioning wheels and lids. The Authority shall not be responsible for any damage to Receptacles that has been caused by the improper use or storage of the Receptacle.

(iii) Lost Receptacles, damaged Receptacles or additional Receptacles can be obtained by the Owner from the Authority at a fee established by the Authority.

(iv) Those Owners or Occupants of Residential Units using Alternate Service shall not receive Receptacles from the Authority. In the event those Owners or Occupants who use Alternate Service elect to place Solid Waste at Curbside, the Solid Waste shall only be placed in hard sided metal or plastic containers.

(b) Collection of Solid Waste

(i) All Solid Waste shall be placed in and stored in the designated Receptacles within buildings, in the rear of the buildings or on the side yard. Except for Collection Days, Receptacles shall not be visible from the street. The Owner or Occupant of the Residential Unit shall not place more than two hundred (200) pounds of Solid Waste in a 64 gallon Receptacle, or two hundred fifty (250) pounds in a 96 gallon Receptacle.

(ii) The Owner or Occupant of the Residential Unit shall place all Solid Waste in the Receptacle(s) assigned by the Authority and shall not place any loose trash or plastic bags at Curbside. Loose trash or bags placed at Curbside will be subject to surcharge as established in the Authority's Schedule of Service Charges & Fees.

(iii) Receptacle(s) shall be placed at Curbside, and situated securely at Curbside to prevent spilling or tipping, no earlier than 8:00 p.m. on the day preceding the Collection Day, except for snow or storm emergencies as determined by the Executive Director. Receptacle lids must be closed.

(iv) The Owner or Occupant of the Residential Unit shall return the Receptacle from Curbside to its storage place no later than 6:00 a.m. the day after Collection Day.

(3) Residential Side Yard Collection of Solid Waste

The Owner or Occupant of a Residential Unit located within the Authority Service Area may

arrange with the Authority for Side Yard Collection of Solid Waste, instead of Curbside Collection in accordance with the Authority's procedure for Side Yard Collection.

(a) Receptacles for Side Yard Solid Waste

(i) The Authority shall provide each Residential Unit with a standard Receptacle to store Solid Waste for placement for Side Yard Collection.

(ii) The Owner or Occupant of the Residential Unit shall be responsible for keeping the assigned Receptacle in his/her possession; and shall be responsible for keeping the Receptacle clean and odor free by washing it out on a quarterly basis. The Authority shall be responsible for general maintenance of the Receptacle, including replacement of malfunctioning wheels and lids. The Authority shall not be responsible for any damage to Receptacles that has been caused by the improper use or storage of the Receptacle.

(iii) Lost Receptacles, damaged Receptacles or additional Receptacles can be obtained by the Owner from the Authority at a fee established by the Authority.

(b) Collection of Side Yard Solid Waste

The Owner or Occupant of the Residential Unit shall place the Receptacle at the Side Yard Collection Site on Collection Day. The Owner or Occupant of the Residential Unit shall not place more than two hundred (200) pounds of Solid Waste in a 64 gallon Receptacle, or two hundred fifty (250) pounds in a 96 gallon Receptacle. Receptacle lids must be closed. No loose trash or plastic bags shall be placed outside of the Receptacle. Any such loose trash or bags will be subject to surcharge as established in the Authority's Schedule of Service Charges and Fees.

(c) Service Fee for Side Yard Service

The Owner or Occupant of the Residential Unit must specifically request Side Yard

Collection. A fee has been established by the Authority specifically for this service and therefore the Owner or Occupant of the Residential Unit requesting Side Yard Collection must agree to pay the service fee established by the Authority for this service, prior to commencement of such service.

The quarterly fee for Side Yard Collection is assessed on the basis of the number of households residing on the property receiving this service according to Municipal records.

(4) Commercial, Institutional, Industrial and High Density Residential Facilities (“CIIHDR Facilities”)

The Collection of Solid Waste generated from Commercial, Institutional, Industrial and High Density Residential Facilities shall be the responsibility of the Owner. The Commercial, Institutional, Industrial and High Density Owner has the option to contract directly with the Authority or to contract with a hauling service properly authorized and registered with the DEP to collect, transport, and dispose of Solid Waste generated on the property. If a registered hauling service is utilized by the Owner in lieu of contracting with the Authority, the contract involved for such service, shall be available for review by Authority Inspectors during normal business hours.

Mixed Use Properties are considered Commercial properties for purposes of these Rules and Regulations. However, The Authority may, upon request, classify such Mixed Use Properties as Residential, at the Authority’s discretion. Additionally, Mixed Use Properties shall be subject to all Rules & Regulations as are applicable to its class of service.

(a) Storage for “CIIHDR” Facilities

(i) The Owner or Occupant of any Commercial, Institutional, Industrial and High Density Residential facility shall store all Solid Waste in a Receptacle, in accordance with these Rules and Regulations and in accordance with applicable City of Plainfield ordinances and requirements. Recyclable Materials shall not be stored in the Receptacle for Solid Waste. All Receptacles shall be

located on the premises and maintained in a clean and sanitary manner. Commercial, Institutional, Industrial or High Density Residential Facilities shall not use any Municipal Receptacles for the placement, storage and/or disposal of Solid Waste generated at that Facility. Owners or Occupants of Commercial, Institutional, Industrial and High Density Residential Facilities that use Municipal Receptacles will be subject to charge for such use as established in the Authority's Schedule of Charges and Fees.

(ii) No loose trash or bags are permitted on the ground around the Receptacles. The Owner or Occupant shall be notified by the Authority should loose trash be observed. If the loose trash has not been removed within twenty-four (24) hours of notification by the Authority, the Authority will clean up the area and impose a surcharge on the Owner or Occupant, in accordance with the Authority's Schedule of Service Charges and Fees.

(iii) Commercial establishments such as restaurants, taverns, and other places handling putrescible Solid Waste shall arrange for daily or sufficient Collection so as to prevent odors emanating from the Receptacles.

(b) Receptacles for "CIHDR" Facilities

(i) All Receptacles shall have maintained on the outside of every Receptacle the owner name and user's name or company logo, address and telephone number, in legible letters and numerals not less than one (1) inch in height.

(ii) All Receptacles used in the City must be constructed of fire resistive material. Receptacles shall have securely attached lids that form a secure seal when closed. Lids must be securely closed except when Solid Waste is being deposited or the Receptacle is being emptied. There shall be no holes in the bottom of the Receptacle except for a drainage hole that must be kept

plugged when the Receptacle is not being cleaned.

(iii) All Receptacles shall be well painted, in good condition, free of offensive odors and clean. Receptacles shall be cleaned and sanitized not less than once every six (6) months.

(iv) The Owner or Occupant of the property involved must contract to have the Receptacle emptied at least once every week.

(v) All Receptacles provided by the Authority for the storage of Solid Waste shall be properly cleaned and maintained by the user of the Receptacle. The Authority is not responsible for cleaning and maintaining such Receptacles unless such service is provided for pursuant to contract with the Authority.

(5) Disposal of Solid Waste

The Authority shall dispose of Solid Waste in accordance with the Act and the County Solid Waste Management Plan. Alternate Service Providers shall also dispose of Solid Waste in accordance with the Act and the County Solid Waste Management Plan.

B. Bulky Waste Collection and Disposal

(1) Scope and Applicability

Bulky Waste generated in the Authority's Service Area shall be accumulated and collected by the Authority or an Alternate Service Provider in accordance with the provisions set forth herein. Only the items defined herein as Bulky Waste will be collected by the Authority, provided that such materials are held and stored in the manner required herein. No person shall scavenge nor remove any Bulky Waste placed for Collection at any time. Persons convicted of scavenging will be subject to fines and penalties in accordance with applicable law and the City's Ordinances. As applicable, the Authority shall be entitled to recover all reasonable expenses, including but not limited to, legal

fees incurred in such prosecution pursued by the Authority.

The Authority cannot collect Hazardous Waste and/or Regulated Medical Waste. Consequently, if there is any such Waste commingled or placed with Bulky Waste for Collection, the Waste will not be collected by the Authority. It shall be the obligation of the Owner or Occupant to dispose of the Waste at its own expense in accordance with the laws and regulations of the State of New Jersey.

(2) Collection of Bulky Waste

(2.1) Residential Bulky Waste

The Owner or Occupant of a Residential Unit located within the Authority's Service Area shall store or permit the storage of Bulky Waste discretely on its property, out of sight from the street, until the day designated for the Collection of Bulky Waste. Bulky Waste shall be collected by the Authority in accordance with the procedures set forth herein.

(a) General Regulations

(i) The Owner or Occupant shall schedule a Bulky Waste collection by appointment, or according to any other procedure implemented by the Authority, as amended and supplemented.

(ii) To schedule Collection of Bulky Waste, the Owner or Occupant shall call the Authority at (908) 226-2518.

(iii) The Owner or Occupant shall provide the following information:

1. Property address
2. Owner's name
3. Approximate volume and composition of the Bulky Waste

(iv) The Authority shall schedule a specific date for the Collection of Bulky Waste.

(v) The Authority shall collect Bulky Waste at Curbside in volumes up to 2 cubic yards

with dimension no greater than 3' wide x 6' long x 3' high. The maximum weight for each Bulky Waste collection shall be 1000 pounds per household residing at the address. Bulky Waste placed at Curbside shall not extend into the paved right-of-way and shall not block sidewalks.

(vi) The Owner or Occupant shall not place the Bulky Waste at Curbside earlier than 6:00 p.m. of the evening before the scheduled Collection.

(vii) Volumes of Bulky Waste set at the Curbside in excess of 2 cubic yards or 1,000 pounds shall be subject to a Bulky Waste Collection and Disposal surcharge as set forth in the Schedule of Service Charges and Fees.

(viii) Bulky Waste Collection shall not be provided on Holidays.

(ix) The Owner or Occupant may request additional Bulky Waste Collection Services. This may be arranged on advance notice for a separate fee.

(x) The Owner or Occupant shall not store Bulky Waste on his/her property for more than seven (7) days.

(2.2) Commercial, Institutional, Industrial and High Density Residential Bulky Waste

The Owner of a Commercial, Institutional, Industrial or High Density Residential property has the sole responsibility to make appropriate arrangements in accordance with the Act and the County Solid Waste Management Plan, for the placement, storage, Collection and Disposal of Bulky Waste.

C. Recyclable Materials - Collection and Disposition

(1) Scope and Applicability – Mandatory Source Separation and Recycling

The Recycling Act mandates that every Owner or Occupant of residential and non-residential property, separate Designated Recyclable Materials from all other Solid Waste for the purpose of

Recycling. In furtherance of the Recycling Act, Designated Recyclable Materials shall be deposited, separate and apart from other Solid Waste generated by the Owner or Occupant of the property, and placed for collection for the purpose of Recycling, in accordance with these Rules and Regulations. The Authority shall designate a Recycling Coordinator for purposes of overseeing this Section of the Rules and Regulations. The Recycling Coordinator shall complete the requirements of a course of instruction in various aspects of Recycling program management as determined by the DEP. The Authority, in accordance with the MUA Law and other applicable laws, may negotiate and enter into agreements with qualified persons for the collection of the Designated Recyclable Materials and for the sale or disposition thereof. Designated Recyclable Materials placed at the Collection Site by the Owner or Occupant for collection by the Authority shall become the property of the Authority. No person, organization or association shall tamper with, take, remove or to convert to his own use any such Designated Recyclable Materials, except as otherwise provided for herein.

This Section shall not prohibit or restrict any Owner or Occupant from making arrangements for the Collection and Recycling of Designated Recyclable Materials by an Alternate Service Provider. However, if an Alternate Service Provider is to be used, the Owner or Occupant shall obtain and complete an Application for Alternate Service pursuant to Section IX herein, prior to commencing such Collection Service with an Alternate Service Provider. The Application shall include, at a minimum, the following information: the name of the Applicant, the street address location and lot and block designation; the name, official title and phone number of the person making application if it is on behalf of a Commercial or Institutional entity; the name, address, official contact person and telephone number of the facility which will be providing Recycling of the Designated Recyclable Materials, and a Certification from the Applicant that the Designated

Recyclable Materials will be Recycled, and the Recycling service provider or commercial/institutional generator shall provide a Tonnage Report to the Authority's Recycling Coordinator on a quarterly basis of the total number of tons collected and Recycled for each Designated Recyclable Material. All Alternate Service Providers must submit a Tonnage Report to the Recycling Coordinator by the 15th day of the following months: April, July, October and January, which sets forth tonnage information of all Designated Recyclable Materials collected by the Alternate Service Provider in the City, for the preceding three months. Failure to provide such Tonnage Reports shall constitute a violation of these Rules and Regulations.

(2) **Designated Recyclable Materials**

The following Recyclable Materials constitute the "Designated Recyclable Materials" mandated for source separation by generators of Solid Waste in the City as designated within the Union County District Solid Waste Management Plan: Aluminum, tin and steel, corrugated cardboard, glass containers, grass, brush, leaves, mixed paper, motor oil, motor oil filters, newspaper, office paper, plastic containers (#1 and #2), tires, vehicle batteries, white goods (air conditioners, refrigerators) and wood.

(i) **Mixed Paper, Office Paper, Newspaper**

Clean and uncontaminated Paper shall be kept separate and shall not be mixed with Solid Waste. Paper shall be considered clean and uncontaminated if it is not exposed to foreign substances or conditions that render it unsuitable for Recycling. It is permissible to wrap Solid Waste in used newspaper and to discard it with the Solid Waste. Newspapers shall be securely bundled to facilitate handling. Paper may be placed in paper bags.

(ii) **Corrugated Cardboard**

Corrugated cardboard shall be flattened and securely tied with string or cord into bundles not exceeding fifty (50) pounds by weight. Corrugated cardboard shall not be used as Receptacle for Solid Waste.

(iii) Glass Containers, Aluminum, Aluminum Cans, Tin, Steel Cans and Plastic Containers (#1 and #2)

Glass containers, Aluminum, Aluminum cans, Tin, Steel cans and Plastic containers (#1 and #2) shall be drained of all food and liquid. These items may be commingled in an appropriate Receptacle for purposes of Recycling.

(iv) Vegetative Waste (Grass, Brush, Leaves)

The City is responsible for the Collection of Vegetative Waste (including leaves) throughout the City and delivery of said material to the Transfer Station/MRF for disposition by the Authority. Vegetative Waste may also be delivered by the Owner or Occupant of property in the City directly to the Transfer Station/MRF for disposition, Monday through Saturday or as otherwise designated by the Authority for an associated fee at the facility as set forth in the Schedule of Charges and Fees.

(v) Motor Oil and Motor Oil Filters

Motor Oil and Motor Oil Filters shall not be placed in Receptacles for the Collection of Solid Waste, Bulky Waste or Recyclable Materials by the Authority. Motor Oil and Motor Oil Filters may be delivered by the Owner or Occupant, directly to the Transfer Station/MRF for Disposal, Monday through Saturday, or as otherwise designated by the Authority.

(vi) White Goods

White Goods (refrigerator, washing machine, dryer, stove/range top) may be placed for collection by the Authority as part of the Authority's Bulky Waste Collection Services or may be delivered to the Authority's Transfer Station/MRF, in accordance with the schedule established by

the Authority. If White Goods are placed for collection as part of the Authority's Bulky Waste Collection Services, all doors should be removed from all appliances.

(vii) Tires

Tires may be delivered to the Authority's Transfer Station/MRF, in accordance with the schedule established by the Authority. Rims are to be removed from the tires.

(viii) Wood

Wood may be delivered to the Authority's Transfer Station/MRF, in accordance with the schedule established by the Authority.

(3) **Residential Curbside Collection of Designated Recyclable Materials**

The Owner or Occupant of a Residential Unit located within the Authority Service Area shall place all Commingled Designated Recyclable Materials for Curbside Collection in the designated Receptacles provided by the Authority, and place such Receptacles at Curbside on the Collection Day.

(a) **Receptacles for Commingled Designated Recyclable Materials**

(i) The Authority shall provide each Residential Unit with a standard Receptacle to store Commingled Designated Recyclable Materials for placement at Curbside on the Collection Day. The Owner or Occupant shall not place any Solid Waste in the Receptacle with the Commingled Designated Recyclable Materials.

(ii) The Owner or Occupant of the Residential Unit shall be responsible for keeping the assigned Receptacle in his/her possession; and shall be responsible for keeping the Receptacle clean and odor free by washing it out on a quarterly basis. The Authority shall be responsible for general maintenance of Receptacles, including replacement of malfunctioning wheels and lids. The

Authority shall not be responsible for any damage to a Receptacle that has been caused by the improper use or storage of the Receptacle by the Owner or Occupant.

(iii) Those Owners or Occupants of Residential Units contracting for Alternate Service, shall not receive recycling Receptacles.

(b) Collection of Designated Recyclable Materials

(i) The Owner or Occupant of the Residential Unit shall set out at Curbside, the Designated Paper Recyclable Materials on the Collection Day. The Designated Paper Recyclable Materials shall be either tied into bundles of less than fifty (50) pounds with string or twine, or placed within brown paper bags or contained within a cardboard box. Designated Paper Recyclable Materials may not be placed loose at Curbside.

(ii) Commingled Designated Recyclable Materials shall be placed in and stored in the assigned Receptacle. Commingled Designated Recyclable Materials shall not be placed in plastic bags. Receptacles shall be stored on the residential property, away from obstruction of pedestrian and vehicular traffic. The Owner or Occupant of the Residential Unit shall not place more than two hundred (200) pounds of Commingled Designated Recyclables Materials in a Receptacle.

(iii) The Owner or Occupant of the Residential Unit shall place the Receptacle at Curbside and securely situate the Receptacle so as to prevent spilling or tipping, no earlier than 8:00 p.m. on the day preceding the Collection Day.

(iv) The Owner or Occupant of a Residential Unit shall remove the Receptacle from Curbside to the storage location no later than 6:00 a.m. the day after the Collection Day.

(4) Residential Side Yard Collection of Designated Recyclable Materials

The Owner or Occupant of a Residential Unit located within the Authority Service Area may

arrange with the Authority, in accordance with the Authority's procedure for Side Yard Collection, for Side Yard Collection of Designated Recyclable Materials instead of Curbside Collection. Additional fees for Side Yard Collection are provided in the Schedule of Charges and Fees Section of these Rules and Regulations.

(a) Receptacles for Commingled Designated Recyclable Materials

(i) The Authority shall provide each Residential Unit with a standard Receptacle to store Commingled Designated Recyclable Materials. The Owner or Occupant shall not place any Solid Waste in the Receptacle with the Commingled Designated Recyclable Materials.

(ii) The Owner or Occupant of the Residential Unit shall be responsible for keeping the assigned Receptacle in his/her possession; and shall be responsible for keeping the Receptacle clean and odor free by washing it out on a quarterly basis. The Authority shall be responsible for general maintenance of Receptacle, including replacement of malfunctioning wheels and lids. The Authority shall not be responsible for any damage to a Receptacle that has been caused by the improper use or storage of the Receptacle by the Owner or Occupant.

(b) Collection of Designated Recyclable Materials

(i) Provided an application has been made and approved by the Authority for Side Yard Collection, the Owner or Occupant of the Residential Unit shall set out at Side Yard, the Designated Paper Recyclable Materials, for Side Yard Collection, no earlier than 8:00 p.m. on the day preceding the Collection Day. The Designated Paper Recyclable Materials shall be either tied into bundles of less than fifty (50) pounds with string or twine, or placed within brown paper bags, or contained within a cardboard box. Designated Paper Recyclable Materials may not be placed loose at the Side Yard.

(ii) Commingled Designated Recyclable Materials shall be placed in and stored in the assigned Receptacle. Commingled Designated Recyclable Materials shall not be placed in plastic bags. Receptacles shall be stored on the residential property, away from obstruction of pedestrian and vehicular traffic. The Owner or Occupant of the Residential Unit shall not place more than two hundred (200) pounds of Commingled Designated Recyclable Materials in a Receptacle.

(iii) Provided an application has been made and approved by the Authority for Side Yard Collection, the Owner or Occupant of the Residential Unit shall place the Receptacle of Commingled Designated Recyclable Materials at Side Yard, and securely situate the Receptacle so as to prevent spilling or tipping no earlier than 8:00 p.m. on the day preceding the Collection Day.

(5) Recycling of Designated Materials by Commercial, Institutional, Industrial and High Density Residential Facilities

(i) Owners of Commercial, Institutional, Industrial and High Density Residential properties are responsible for ensuring that a Recycling Plan is established that provides for on-site Recycling of all Designated Recyclable Materials and that the Recycling Plan is operated in compliance with the requirements of the Recycling Act and these Rules and Regulations. Owners of Commercial, Institutional, Industrial and High Density Residential properties may contract directly with the Authority for Recycling Services or utilize the services of an Alternate Service Provider for the Collection, delivery and Disposition of Designated Recyclable Materials to a DEP Class A Recycling Facility or other legitimate facility authorized to receive such Materials under the Recycling Act. If an Alternate Service Provider is utilized, the Owner or Occupants' contract with the Alternate Service Provider shall be available for review by the Authority during normal business hours.

(ii) Receptacles shall be provided for all Designated Recyclable Materials and Mixed

paper shall be deposited in a covered container or securely tied into bundles. Separate Receptacles may be utilized for each Designated Recyclable Material or two or more Materials may be placed in one Receptacle, provided the Recycling hauler utilized by the Owner can take the Materials comingled. The Receptacles shall be clearly marked to indicate their purpose and shall provide safe and secure containment of the Designated Recyclable Materials at the property location for Collection. Receptacle capacity must be adequate to hold the amount of Materials generated between Collections.

(iii) The Owner or Occupant of the property shall provide notice to the employees, customers and clients of the facility of the requirements of Recycling and must identify the location of the on-site Receptacles, so that it is conveniently accessible to users. The Owner or Occupant of the property must ensure that the Recycling system established at the facility is being used properly by employees, customers and tenants of the property.

(iv) The Owner or Occupant of the Commercial, Institutional, Industrial, or High Density Residential Property is responsible to ensure that no Solid Waste is placed in the Receptacles that are designated for the deposit of the Designated Recyclable Materials. It shall be a violation of these Rules and Regulations to comingled Solid Waste with the Designated Recyclable Materials. Where the Authority provides service and Receptacles for Designated Recyclable Materials that are found to contain Solid Waste, an adjustment will be surcharged to the Owner as set forth in the Authority's Schedule of Rates and Charges.

(v) No later than the 15th day of the following months: January, April, July and October, the Owner or Occupant of a Commercial, Institutional, Industrial and High Density Residential property that utilizes an Alternate Service Provider for the Collection of Designated Recyclable Materials,

shall provide to the Recycling Coordinator, an accounting of the quantity of each Designated Recyclable Material recovered for Recycling for the prior three months on a Report form to be provided by the Authority.

(6) Recycling Requirements for Fairs, Concerts, and other Outdoor Events.

(i) The organizer/owner/contractor of a Fair, Concert or other Outdoor Event, shall provide a Recycling Plan for the event that complies with the requirements of these Rules and Regulations with respect to the Recycling of Designated Recyclable Materials.

(ii) The Recycling Plan shall provide for the separation of Designated Recyclable Materials generated at the event. Receptacles shall be provided for the deposit of the materials and should be clearly marked. The area for the placement of the Materials shall be neatly maintained. Solid Waste shall not be deposited in the Receptacles containing the Designated Recyclable Materials. A sufficient number of Recycling Receptacles shall be provided for Designated Recyclable Materials generated at the event.

(iii) The organizer/owner/contractor of the event shall arrange for the Designated Recyclable Materials to be removed from the event location and ensure that the Materials are collected and transported to an approved Recyclables market.

(iv) The Recycling Plan for the event shall be made accessible and available to patrons, customers and employees of the event via appropriate notice/signs, which must also advise of their responsibilities.

(v) The owner/operator/contractor of the event shall obtain pertinent documentation regarding the tonnages of Designated Recyclable Materials Recycled from the event or arrange to have the collector provide that documentation directly to the Recycling Coordinator.

(7) Recycling Enforcement

The Authority's Rules and Regulations governing the Source Separation, Collection and Disposition of Designated Recyclable Materials shall be enforced by the Authority, and as applicable by the Authority in conjunction with the City's Health Department and Code Enforcement Officers, and/or any other applicable State or County office or agency.

(8) Recycling Violations and Penalties

(i) Any person, corporation, occupant or entity that violates or fails to comply with the Authority's Rules and Regulations as set forth herein with respect to the Source Separation, Collection and Disposition of Designated Recyclable Materials, shall be subject to a fine not less than \$250 nor more than \$1,000. Each day for which a violation occurs shall be considered a separate offense.

(ii) Fines levied and collected pursuant to these Rules and Regulations shall be deposited into a Recycling Trust Fund to be maintained by the Authority for use for the expenses of the Authority's Recycling Services and efforts.

D. E-Waste

E-Waste shall be dropped off at the Transfer Station/MRF by any Owner or Occupant, in accordance with a drop-off schedule that will be posted by the Authority on its website. The Authority shall arrange for the proper disposition of E-Waste in accordance with the Electronic Waste Management Act, the Recycling Act and as applicable, any directives from the County of Union.

E. Regulated Medical Waste

Scope and Applicability

The Authority has no jurisdiction to handle Regulated Medical Waste. Consequently, Regulated Medical Waste shall not be placed in Receptacles used for the collection of Solid Waste, Bulky Waste or Recyclable Materials by the Authority. The Act requires that Regulated Medical Waste be removed and disposed at the expense of the owner or person in possession thereof in accordance with applicable law.

F. Hazardous Waste

Scope and Applicability

The Authority has no jurisdiction to handle Hazardous Waste. Consequently, Hazardous Waste shall not be placed in Receptacles for the Collection of Solid Waste, Bulky Waste or Recyclable Materials by the Authority. Hazardous Waste shall be disposed of by the Owner or person in possession thereof at their sole expense in accordance with applicable laws.

G. Grease and Cooking Oils

Grease and Cooking Oils shall not be placed by any Person in Receptacles for the Collection of Solid Waste, Bulky Waste or Recyclable Materials by the Authority. Residential customers may place Grease and Cooking Oils in a tightly closed container and place them in the garbage for disposal. Nonresidential generators of Grease and Cooking Oils shall dispose of this Waste only through contract with private contractors licensed to handle these types of Wastes. Generators disposing of Grease and Cooking Oils through private contractor shall provide written information, as requested by the Authority, indicating the name of the contractor and information regarding the volumes of materials disposed of in this manner.

SECTION VII
ENFORCEMENT

A. SCOPE OF ENFORCEMENT

The Authority shall enforce its Rules and Regulations as set forth herein, and in accordance with the provisions set forth in the Interlocal Agreement between the Authority and the City of Plainfield and the Municipal & County Utilities Authorities Law (the “MUA Law”), and any other applicable State, County or local law and/or agreement with any other governmental entity. The Authority shall coordinate its enforcement activities with the Health Department and Code Enforcement Office of the City of Plainfield and any other applicable City, County or State agency. The enforcement actions of the Authority shall not impair, impede or limit the power of the City to inspect and enforce City health code violations, to define and declare City nuisances and to cause their removal and abatement by summary proceedings or otherwise. Additionally, the Authority shall not have any rights, responsibilities or obligations to enforce any action, of which the Authority has no jurisdiction. In cases where such a violation or potential violation comes to the attention of the Authority, the Authority shall work with and refer the matter to the appropriate agency as deemed appropriate for such enforcement.

B. ENFORCEMENT OBJECTIVE AND GOALS

The Authority’s enforcement objective, in all cases, is to take fair and consistent enforcement action to ensure compliance with the Authority’s Rules and Regulations and to bring properties into compliance and to prevent future violations. . Such enforcement shall be carried out in a manner that promotes the health and wellbeing of the City of Plainfield’s citizens and protects the environment of the City. However, at times it may be necessary for the Authority, on its own or in conjunction with

the City or other appropriate enforcement agencies, to pursue legal action, including the imposition of certain fees, charges and penalties, as applicable, to address serious and repeat violations of the Authority's Rules and Regulations, and to deter future violations.

C. TYPES OF ENFORCEMENT ACTIONS

a. ACTIONS INITIATED BY COMPLAINT

An enforcement action may be initiated as a result of a complaint submitted by (a) a resident to the Authority; (b) by the City or another governmental agency to the Authority; or (c) directly from Authority staff. A Complaint refers to information received which indicates or alleges that a violation of the Authority's Rules & Regulations has occurred or is about to occur. Any Complaint received that is outside the scope of the Authority's Rules & Regulations shall be referred to the appropriate agency for action.

1. Resident Complaint

If a resident contacts the Authority by telephone to file a complaint regarding a potential violation of the Authority's Rules & Regulations, detailed information regarding the alleged violation shall be obtained from the caller and completed on the Authority Complaint Form. The resident shall be advised that the Authority will review the information provided and will take the appropriate action. If the caller refuses to provide information sufficient to conduct an inspection, the person shall be advised that the matter will not be able to be reviewed until the required information is provided. If the information is not provided, the matter shall be closed based on insufficient information and so noted on the Complaint Form.

If a resident submits a Complaint to the Authority by letter or other written communication, the Authority Complaint Form shall be completed with the information provided in the document

submitted. Letters of complaint shall be acknowledged as soon as possible either by letter or by telephone. If additional information is required, the resident shall be contacted by telephone as soon as possible, if a telephone number is provided, or by letter to obtain the additional information. If the resident does not respond within 14 days to the follow up telephone call or letter requesting additional information, the matter shall be closed and so noted on the Complaint Form.

If the complainant requests confidentiality, the complainant shall be identified as a confidential source and described in the Complaint Form as to the degree of reliability, for example either as someone who has furnished accurate information in the past or someone of unknown reliability. The complainant's name shall only appear in the original written complaint document or the original Complaint Form relating to an oral complaint. No complainant can be guaranteed confidentiality. The most that can ever be stated is that the Authority will attempt not to make disclosure unless required by law. Even though a complainant does not request to be treated as a confidential informant, it shall be the policy of the Authority not to disclose the complainant's identity during the course of review unless such disclosure is required by law.

All completed Complaint Forms shall be submitted to the Supervisor of Inspections for review and approval to initiate an inspection.

2. City or other Governmental Complaint

If a Complaint is received by the Authority from the City or any other governmental agency by telephone or by written correspondence, an Authority Complaint Form shall be completed and submitted to the Supervisor of Inspections for review and action. A letter or email shall be sent to the City or other agency within 5 business days, to acknowledge receipt of the Complaint and/or to obtain any additional information needed.

3. Intra-Authority Complaint

If an Authority employee observes or becomes aware of a potential violation of the Authority's Rules & Regulations, the employee shall bring the matter to the attention of the Supervisor of Inspections for review. The Supervisor shall complete an Authority Complaint Form and determine the appropriate action to be taken.

b. ACTIONS COMMENCED AS PART OF ROUTINE COMPLIANCE INSPECTIONS

The Enforcement Staff shall conduct regular routine compliance inspections throughout the City, based on a schedule prepared by the Supervisor of Inspections and approved by the Inspection and Enforcement Department. Regular compliance inspections shall be conducted to determine and ensure compliance with the Authority's Rules & Regulations. An Authority Inspection Record shall be kept for each conducted inspection.

D. INSPECTIONS

The Enforcement Staff shall have the power to inspect or cause the inspection of properties and vacant lands in the Authority's Service Area solely for the purpose of monitoring and determining compliance with the Authority's Rules and Regulations. The Supervisor of Inspections shall formulate and develop an Authority Inspection Schedule for the inspection of properties, which may be organized on a territorial basis (e.g., according to districts or boundaries) or on a random basis or in response to a Complaint.

E. INSPECTION PROCEDURES

1. Scope of Inspection

The Authority Inspector shall be responsible for conducting an inspection of the properties assigned pursuant to the Authority Inspection Schedule or as directed by the Supervisor in response to a Complaint. During every inspection of a property, the Authority Inspector shall first, upon arrival at the property to be inspected, determine if the property owner or occupant is present. This does not apply if the property is under surveillance by the Inspector. If the property owner or occupant is present, the Inspector shall identify himself/herself and present his/her badge and identification. The Inspector shall then advise the property owner/occupant of the reason for the inspection. If the property owner/occupant refuses to allow the Inspector on the property then the Inspector shall leave the site and review the matter with the Supervisor for further instruction on how to proceed.

The Inspector shall inspect the Collection Site, all Receptacles located on the property and the storage area where Receptacles are maintained, in addition to the specific matter identified in a Complaint Form or as otherwise directed by the Supervisor. During the course of the Inspection, the Investigator should be alert to observe and identify any material information related to the reason for the inspection. The Authority Inspector shall photograph any and all violations of the Rules and Regulations that are observed during an inspection.

If the Inspector is conducting a surveillance of the property, it is imperative that the Inspector obtain all available information regarding the property. The Inspector shall maintain a surveillance log during the course of the surveillance which shall set forth the observations of the Inspector.

2. Report Completion

The Authority Inspector shall complete an "Inspection Report" for each inspection of every property. The Inspection Report shall contain all pertinent information regarding the conditions of

the property in relation to the Rules and Regulations and shall include but not be limited to the following information:

- C. The street address and Block and Lot Number of the property inspected;
- D. The name(s) of the property owner, lessee and/or occupant;
- E. The reason for the inspection;
- F. The name and/or description of any person observed committing a violation;
- G. The date and time of the inspection;
- H. The property type and use;
- I. A detailed statement of any violation(s) observed, including citation to the governing provision(s) of the Rules and Regulations;
- J. Whether notice of the inspection was posted at the property address and communicated to the property owner or resident.

(i) Initial Inspection

If any violation(s) of the Authority's Rules & Regulations are observed during the Initial Inspection, the Authority Inspector shall post a Notice of Non-Compliance in a conspicuous place in or upon such building, structure or property, advising of the violation(s) and notifying the property owner, lessee or manager that he has 24 hours from the date of the Notice to abate the violation or such other time frame as determined by the Supervisor. In a situation involving an unscheduled put out of bulky waste materials, the Notice shall state that the bulky waste must be removed from the site within 24 hours or else the materials will be collected by the Authority and the owner or occupant will be charged for the unscheduled pick-up. If the property owner/occupant is present, the Notice shall be given to the person, if appropriate.

The Authority Inspector shall maintain a log of all properties inspected. The log shall track those properties that are not in compliance with the Rules and Regulations. At the end of each day of inspections, the Authority Inspector shall mail a copy of any Notices of Non-Compliance to the owner, lessee or manager of the property, or person observed committing a violation. A file shall be maintained by the Inspection Unit for each property in non-compliance. The file shall include, but shall not be limited to, all Inspection Reports, forms, notices, correspondence and photographs relating to the property.

3. Final Inspection

The Authority Inspector shall conduct a Final Inspection within three (3) days of the Initial Inspection or sooner or as directed by the Supervisor, to determine if the previous violation(s) observed during the Initial Investigation has been abated and that no other violations exist. A Final Inspection Report shall be completed. If no violations are observed during the Final Inspection, the Authority Inspector shall enter a notation of compliance on the Inspection Report and a letter shall be sent to the owner of the property advising that the violation has been abated. The file shall then be closed. If the violation(s) has not been abated or other violations are observed, the Authority Inspector shall indicate such non-compliance on the Inspection Report and photograph any existing violations. A Final Notice of non-compliance shall be posted at the property and a copy sent to the owner by certified mail advising of the continued violation and notifying the property owner, lessee, or manager that he has 48 hours, or such other time period determined by the Supervisor to correct the violation and that failure to do so may result in legal action by the Authority. The Authority Inspector shall make the appropriate notation in the log book. If the violation has not been resolved, the Authority shall proceed with such further action to obtain compliance.

4. Municipal Notification; implementing procedures

A copy of every Inspection Report that involves a potential violation of the City's ordinances shall be transmitted by the Supervisor to the City's Inspection, Code Enforcement or Health Agency having jurisdiction over inspection and code enforcement activities relating to real property. As deemed appropriate, the Authority shall coordinate its inspection operations with the proper City agencies to ensure that resources are utilized efficiently and effectively in implementing the Rules and Regulations.

F. VIOLATIONS AND IMPOSITION OF FINES AND PENALTIES

Should violations of the Authority's Rules and Regulations be substantiated after Inspection by the Authority as provided for herein, the Authority either on its own or in conjunction with the City's Health Department, Code Enforcement Officer and/or any other applicable State or County office or agency, shall proceed to enforce such Rules and Regulations and as appropriate, seek a fine and/or penalty for such violation.

SECTION VIII-A

SCHEDULE OF SERVICE CHARGES & FEES

A. CLASSIFICATION OF USERS

The classification of users for the Solid Waste System shall be as follows:

1. "Low Density Residential" - includes any residential property, other than those residential properties receiving Container Service, located within the City of Plainfield that is used primarily for human habitation with less than ten (10) families or households residing at the property's tax lot.

2. "High Density Residential" - includes any property within the City of Plainfield used primarily for human habitation with ten (10) or more families or households residing at the property's tax lot. This use classification includes but is not limited to, apartments, condominiums, and similar use designations.

3. "Institutional" - includes those schools, buildings, grounds and properties owned and/or operated by or on behalf of a public and/or non-profit entity.

4. "Commercial/Industrial" - includes any Plainfield tax lot property used primarily as a facility for the conduct of a business.

5. "Existing Farms" - includes farms as classified by the City of Plainfield tax assessor on or before June 01, 2002.

6. "Vacant Property" - includes any lot greater than 500 square feet, within the City of Plainfield with no structures developed on the property.

7. "External Users" - includes any user of the Solid Waste System situated outside of the political boundaries of the City of Plainfield.

B. EXEMPT USERS

Those facilities, buildings and properties, as described in the Interlocal Agreement, including but not limited to, city parks, garages and street trash receptacles, that are owned and/or operated by the City of Plainfield and the Plainfield Municipal Utilities Authority and that use or receive services of the Solid Waste System, shall be exempt from the Service Charges and Fees set forth in this Schedule.

C. SERVICE CHARGES AND OTHER FEES

1. SERVICE CHARGES

The Authority is authorized pursuant to the County & Municipal Utilities Law, N.J.S.A. 40:14B-22.1, to charge and collect Service Charges for the use or services of the Solid Waste System. Such Service Charges may be charged to and collected by the Authority from any municipality, or any person contracting for such use or services or from the owner or occupant, or both of them, of any real property which directly or indirectly uses or has used the Solid Waste System or from or on which originates or has originated any Solid Waste or Recyclable Materials to be handled by the Solid Waste System of the Authority.

2. UNIFORMITY IN CHARGES/COMPUTATION

The Service Charges shall be, as nearly as the Authority shall deem practicable and equitable, uniform throughout the City of Plainfield for the same type, class and amount of use or service of the Solid Waste System, except that the Authority may provide for a reduction or total abatement of charges for Exempt Users and as otherwise set by Statute. The Service Charges may be based or computed on the quantity of Solid Waste intended for disposal; or on the cost of providing service in

connection with the real property; or on the number of persons residing or working on or identified with the real property; or on any factors determining the type, class and amount of use or service provided under the Solid Waste System; or on any combination of any such factors, and may give weight to the characteristics of the Solid Waste and any other wastes and any other special matter affecting the cost of collection, treatment and disposal of the same and, as to service outside the City of Plainfield and the cost of any improvements to the Solid Waste System.

3. SHARED SYSTEM SERVICES FEE

The Authority shall charge and collect an annual Shared System Services Fee with respect to each Residential, Commercial, Vacant, or Industrial property, including Institutional or Residential property procuring alternate solid waste services located within the City of Plainfield. This fee, as described in more detail below, may be imposed by the Authority upon the owner or occupant of the property.

4. UNIFORMITY IN CHARGES/COMPUTATION

The Shared System Services Fee shall be uniform within each class of users, and the amount thereof shall not exceed the actual cost of the general management of the Solid Waste System and the services provided to all properties and households within the Authority's service area.

a. The amount representing all debt service, including but not limited to sinking funds, reserve funds, the principal and interest on bonds, and the amount of any loans and the interest thereon, paid by the Authority to defray the capital cost of developing the Solid Waste System as of the end of the immediately preceding fiscal year of the Authority shall be added to all capital expenditures made by the Authority not funded by a bond ordinance or debt for the development of the Solid Waste System as of the end of the immediately preceding fiscal year of the Authority.

b. Any gifts, contributions or subsidies to the Authority received from, and not reimbursed or reimbursable to, any federal, State, county or municipal government or agency or any private person, and that portion of amounts paid to the Authority by a public entity under a service agreement or service contract which is not repaid to the public entity by the Authority, shall then be subtracted.

c. The remainder shall be divided by the total number of properties and/or households served by the Authority at the end of the immediately preceding fiscal year of the Authority, and the results shall then be apportioned to each new property and/or household according to the number of households attributed to that property.

The Authority shall recompute the Shared System Services Fee at the end of each fiscal year after a public hearing is held in the manner prescribed by law. The revised Shared System Services Fee may be imposed by the Authority upon those who subsequently establish operations in that fiscal year.

5. SCHEDULE OF SERVICE CHARGES AND FEES

The following Service Charges and Fees are hereby fixed and officially established by the Authority for the use and service of the Solid Waste System, and the same shall be charged and collected by the Authority in accordance with the following Schedule which is hereby prescribed:

1. Service Charges

(a) Low Density Residential property owners, who do not receive Container Service, shall be assessed and shall pay Quarterly Solid Waste and Recycling Service Charges based on the following formula:

$$\text{Quarterly Service Fee} = \text{Collection Fee} + (\text{Disposal Fee} \times \text{Number of Households/Property})$$

where: the Collection Fee¹ is established at: \$111.96/1st quarter
\$110.16 /2nd, 3rd, 4th quarter

the Disposal Fee² is established at: \$87.42/household/1st quarter
\$74.84/household/2nd, 3rd, 4th quarter

the Collection Fee and the Disposal Fee may be adjusted from time to time as costs change.

(a)(1) Side Yard Service for property owners requesting side yard solid waste and recycling collection after curbside collection is implemented, when requested and approved, shall be assessed and shall pay a Side Yard Service Charge of \$30.00 per quarter.

(a)(2) Excess Solid Waste, which is solid waste set out at curbside for collection that is not placed within the confines of the Receptacle shall be recorded by the Authority and the property owner shall be assessed and shall pay the Excess Solid Waste Service Charge of \$30.00 per bag or container.

(a)(3) Residential customers requesting replacement carts shall be assessed and shall pay the Replacement Cart Charge of \$60.00 per cart.

(a)(4) Residential customers requiring service to return carts from curbside to the property's side yard storage location shall be assessed and shall pay a Cart Return Charge of \$10.00 per cart and per event.

(b) Low Density Residential property owners, who receive Container Service, shall be assessed and shall pay the Quarterly Solid Waste and Recycling Service Charges as set forth above in paragraph (a) plus, a Quarterly container rental equal to \$30.00 X cubic yard volume of the container.

¹ Collection Fee represents solid waste and recycling collection costs.

² Disposal Fee represents incurred disposal costs and the solid waste proportion of budgeted administrative costs.

(c) High Density Residential Commercial, Industrial and Institutional properties that receive Container Service, shall be assessed and shall pay Quarterly Container Service Solid Waste Charges based on the following formula:

Quarterly Container Service Solid Waste Service Fee = (Container Volume x Frequency of Collection Per Week x Disposal Fee) + (Collection Fee x Frequency of Collection Per Week)

where: Container Volume is the capacity in cubic yards of all solid waste containers serviced on the property

Disposal Fee is established at \$100.26/qtr

Collection Fee is established at \$227.65/qtr

Frequency is the number of collection stops per week

Rate changes enacted by the Authority will become effective for existing container service contracts thirty days after written notice of the change by the Authority to the customer.

(d) High Density Residential, Commercial, Industrial, and Institutional properties that receive Recycling services shall be assessed and shall pay a Quarterly Recycling Container Service Fee based on the following formula:

Quarterly Recycling Container Service Fee = Frequency of Collection Per Week x \$51.78.

(d)(1) Container Service customers that require the Authority to perform weekly clean up and wash down services shall be assessed a service charge of \$160.00 per week.

(e) High Density Residential properties and Institutional properties that receive Compacted Container Service, shall be assessed and shall pay Quarterly Compacted Container Service Solid Waste Charges based on the following formula:

Quarterly Compacted Container Service Solid Waste Service Fee = (Container Volume x Frequency of Collection x Disposal Fee) + (Collection Fee x Frequency of Collection)

where: Container Volume is the capacity in cubic yards of all solid waste containers serviced on the property

Disposal Fee is established at \$183.31/qtr

Collection Fee is established at \$227.65/qtr

Frequency is the number of collection stops per week

Rate changes enacted by the Authority will become effective for existing container service contracts thirty days after written notice of the change by the Authority to the customer.

(f) Transfer Station Charges

Users of the Plainfield Municipal Utilities Authority's Rock Avenue Transfer Station will be charged a gate fee for materials delivered that shall not exceed the Maximum Rates approved under its Tariff with the Department of Environmental Protection as set forth below.

	<u>MAXIMUM RATE</u>
Type 10 materials (municipal waste)	\$130.55/ton or \$ 39.56/cy
Type 13 materials (bulky waste) and Type 13 C (construction and demolition waste) includes furniture, gypsum board, automotive parts, appliances, stumps, tree parts, building materials, pavement and masonry	\$110.00/ton or \$ 43.64/cy
Mattresses (regardless of size)	\$ 45.00 each
Type 23 Materials (Vegetative Waste) includes leaves, brush, branches, grass clippings and crop residues	\$6.50/cy
Type 27 (dry industrial waste)	\$172.87/ton or \$ 52.39/cy

Above Transfer Station rates do not include applicable taxes and surcharges.

The DEP approved Tariff for the Transfer Station/MRF is set forth in Section VIII-B.

Recyclables

Paper (includes newsprint, office paper, and cardboard)	\$28.50/ton
Bottles and Cans (includes glass, steel, aluminum and plastic)	\$41.28/ton
Metals and White Goods	\$47.16/ton
White Metals	\$47.16/ton plus \$15.00/Freon Containing Unit
Tires	\$312/ton or \$3.12/tire

(g) Abatement Service Charges

The Authority shall assess hourly fees and charges for clean-up services known as "Abatement Services" provided by or on behalf of the Authority at specific locations within the City of Plainfield which have been identified by the Authority or by the City as requiring clean-up services. Property owners can privately contract for the clean-up services before the Authority is notified. The Authority will collect Solid Waste from these locations and provide for its disposal. The Authority will charge the property owner an Abatement Service Charge which shall be equal to Hourly Abatement Charge = \$364.00/hr. + \$194.40/ton of Solid Waste disposed. The Abatement Service Charge will be charged on a portal to portal basis.

(h) Out of Schedule Bulky Waste Collections

The Authority shall assess a minimum fee to any residential, commercial or institutional property requesting a collection of bulky waste of \$264.00. This fee may be adjusted by the Authority should the waste exceed 2 cubic yards or 1,000 pounds/collection stop at a rate equivalent to \$52.80 per two cubic yards/\$211.20/ton, plus \$222.00 per hour for all time after the first hour of labor.

(i) Roll-Off Container Type 13 On-Call Service

The Authority shall assess a fee to any residential, commercial, or institutional property requesting roll-off containers for Type 13 bulky waste. The on-call service rate is a combination of the container rental rate, established at \$10.00 rate per day if held after 10 days (or any part thereof); in accordance with the fee schedule below, including all applicable taxes:

<u>Container Size</u>	<u>Charge/pull</u>	<u>Disposal Fee</u>
10 cy	\$150	\$110/ton
20 cy	\$150	\$110/ton
30 cy	\$150	\$110/ton

(i)(1) Roll off container customers are able to separately contract with the Authority to load containers. Customers contracting with the Authority for this service shall be assessed and shall pay an hourly service fee of \$200.00 per hour.

(j) Transfer Station Scale Service

The Authority will permit pre-registered vehicles to obtain truck weights at the Rock Avenue Transfer Station scale. Pre-registration consists of the vehicle owner identifying its trucks by license number, providing the Authority with current Certificates of Insurance, naming the Authority as an additional insured, and establishing a deposit fund of \$100.00. A per truck fee of \$15.00 per weighing is established and shall be billable and payable monthly by the owner.

(k) Mixed Commercial/Residential Properties

Mixed Commercial/Residential properties that receive solid waste services shall be assessed and shall pay Quarterly Solid Waste and Recycling Service Charges based on the number of households occupying the property and/or the quantity of solid waste left for collection. Authority personnel shall,

upon physical verification of quantities, determine an appropriate Disposal Fee for the property. This Disposal Fee shall be the current disposal fee as assessed from time to time equal to that for Low Density Residential Service, multiplied by the quantity of solid waste generated from the property. This Disposal Fee shall then be added to the Collection Fee as established under the Low Density Residential Category.

(l) Existing Farms

Existing farms shall pay Quarterly Solid Waste and Recycling Service Charges based on the number of households occupying the property in the same manner as Low Density Residential Service Fees. All lots, whether separately designated or not, shall be treated as one block and lot. The Authority does, however, reserve the right to assess and adjust these fees based on the volume of Solid Waste set out for collection and/or the volume of Vegetative Waste set out for collection.

(m) Commercial Low Generators

- Qualifications for Low Generator Service:
 - Businesses that only generate small amounts of garbage and/or recyclables
 - Business that have a maximum of three employees
 - Businesses with no kitchen area or designated lunch room
 - Businesses with employees that normally eat away from the premises
 - A Place of Worship with one day per week scheduled service qualifies for the Low Generator Rate.

Rate: \$116.38 per quarter.

2. Shared System Services Fee

The Shared System Services Fee represents the cost to all Plainfield property owners of solid waste services provided by the Authority for the general benefit of the City. Such services include municipal solid

waste and recycling collection and disposal, vegetative waste disposal, and other services provided for the public good.

Commercial and Industrial properties	\$82.75/property/1 st quarter \$80.30/property/2 nd , 3 rd , 4 th quarter
Residential dwellings	\$48.72/lot/quarter plus \$82.75/household/1 st quarter \$80.30/household/2 nd , 3 rd , 4 th quarter
Vacant properties	\$82.75/property/quarter \$80.30/property/2 nd , 3 rd , 4 th quarter

The Shared System Services Fee is included as a portion of the total fee for any property receiving solid waste collection services from the Authority.

3. External Users Fee

The Authority may, from time to time, provide Solid Waste or Recycling Services to External Users. The rate for such service shall be the rate negotiated and contracted for between the Authority and the External User; provide, however, that such rate shall not be below the cost of providing such service.

The Authority hereby establishes a standard daily rate for providing Type 10 solid waste collection vehicles and crews to municipalities outside of the City of Plainfield. Such costs shall further include the cost of solid waste disposal.

Vehicle and crew	\$1,860.00 per day
Disposal - 8 tons minimum	<u>688.00</u>
Daily Rate	\$2,548.00 per day

\$64 per ton for more than 8 tons

The Authority hereby establishes a standard daily rate for providing Type 13 or 13C solid waste collection vehicles and crews to municipalities outside of the City of Plainfield. Such costs shall further include the cost of solid waste disposal.

Vehicle and crew	\$1,860.00 per day
Disposal (Type 13)	128.00/ton

4. Senior Citizen Discount

The Authority hereby establishes, pursuant to and in accordance with N.J.S.A. 40:14B-22.2, a percentage discount for qualified senior citizen homeowners receiving solid waste collection services. The discount is established as 15% of the established rate.

5. Medical/Disability Discounts

The Authority hereby establishes in accordance with N.J.S.A. 40:14B-22.2, a discount of 15% of the Low Density Residential solid waste and recycling rate, after all applicable charges for qualified medically disabled property owners receiving solid waste and recycling collection services.

6. Disabled Veterans Discount

The Authority hereby establishes in accordance with N.J.S.A. 40:14B-22.2, a discount of 15% of the Low Density Residential solid waste and recycling rate, after all applicable charges for qualified disabled veteran property owners receiving solid waste and recycling collection services.

D. NOTICE AND METHOD OF PAYMENT

Any person contracting for use or services of the Solid Waste System or the owner or occupant, or both of them, of any real property which directly or indirectly uses or has used the Solid Waste System or from or on which originates or has originated any Solid Waste or other wastes to be handled by the Solid Waste System of the Authority shall be billed in advance and be liable for and

shall pay such Service Charges and Fees to the Authority at the time when and place where such Service Charges and Fees are due and payable.

Bulky Waste collection services shall not be scheduled or provided to any property owner who is in arrears in their payment to the Authority in excess of ninety (90) days.

E. INTEREST ON UNPAID SERVICE CHARGES AND FEES AND SERVICE CHARGE FOR RETURNED CHECKS

In the event a Service Charge or Fee charged by the Authority with respect to any parcel of real property shall not be paid as and when due, interest shall accrue and be due to the Authority on the unpaid balance at the rate of 1 1/2% per month until such Service Charge or Fee and interest thereon, shall be fully paid to the Authority.

The Authority shall impose a Service Charge to be added to any account owing to the Authority if payment tendered to the Authority on such account was by a check or other written instrument and such check or instrument was returned for insufficient funds. The Service Charge shall be in the amount of \$20 per check or other written instrument. In addition, the Authority may require future payments to be tendered in cash or by certified or cashier's check.

F. BILLING INQUIRIES AND DISPUTES

Billing inquiries and disputes regarding any Service Charge or Fee shall be directed in writing to the Authority, prior to the payment due date. The Authority shall review the inquiry or complaint and shall take the appropriate action(s) required based on its findings.

G. DETERMINATION OF BILLING UNITS

The Authority may use federal, state, county and/or local property tax information, census information, building permits, and any other verifiable data to determine the properties, households,

and types of users. The Authority further reserves the right to physically verify the number of households residing at a given property or the type of user to maintain an accurate data base.

Material delivered to the Transfer Station shall be measured by the certified scale on site. Measurements of weight taken by this scale shall be final.

H. REVISIONS TO SCHEDULE OF CHARGES AND FEES

The Authority shall prescribe and from time to time when necessary, revise the Schedule of its Service Charges and Fees, such that the revenues of the Authority will at all times be adequate to pay the expenses of the Solid Waste System, including reserves and insurance, and to pay the principal of and interest on any bonds and to maintain such reserves or sinking funds therefore as may be required by the terms of any contract of the Authority or as may be deemed necessary or desirable by the Authority.

Said Schedule shall be prescribed and from time to time revised by the Authority after public hearing thereon, which shall be held by the Authority at least 20 days after notice of the proposed adjustment is mailed to the clerk of each municipality serviced by the Authority and publication of notice of the proposed adjustment of the Service Charges and Fees and of the time and place of the public hearing in at least two newspapers of general circulation in the area serviced by the Authority.

The Authority shall provide evidence at the hearing showing that the proposed adjustment of the Service Charge and Fee is necessary and reasonable, and shall provide the opportunity for cross-examination of persons offering such evidence. A transcript of the hearing shall be made and a copy thereof shall be available upon request to any interested party at a reasonable fee.

I. COLLECTION AND ENFORCEMENT FOR NON-PAYMENT OF SERVICE CHARGES AND FEES

In the event that a Service Charge or other Fee charged by the Authority with respect to any parcel of real property owned by any person, corporation, or other entity other than the State of New Jersey or any agency of subdivision thereof, shall not be paid as and when due, the unpaid balance thereof shall be a lien on such parcel, and all such liens shall become enforceable with and as any other municipal lien on real property in the municipality, in addition to the other remedies of civil suit of foreclosure or any other remedies which may be available to the Authority by and under the Laws and Statutes of the State of New Jersey.

J. VALIDITY

If any section, subsection, clause, or provision of this Schedule of Service Charges and Fees shall be adjudged unconstitutional or to be ineffective, in whole or in part, to the extent it is not adjudged unconstitutional or is not ineffective, it shall be valid and effective, and no other section, subsection, clause, or provision of this Schedule shall on account thereof be deemed invalid or ineffective, and the inapplicability or invalidity of any section, subsection, clause or provision of this Schedule in any one or more instances or under any one or more circumstances shall not be taken to affect or prejudice in any way its applicability or validity in any other instances or under any circumstances.

K. EFFECTIVE DATE

The Service Charges and Fees set forth herein shall take effect on the date of adoption or as otherwise provided at the public hearing adopting such charge or fee. A copy of the Schedule of Solid Waste Service Charges and Fees and all Amendments thereto, shall at all times be kept on file at the principal office of the Authority and shall at all reasonable times be open to public inspection.

SECTION VIII-B

DEP TARIFF

SECTION IX

ALTERNATE SERVICE

ALTERNATE SERVICE

A. Scope

The Solid Waste System has been established to accommodate and provide comprehensive Solid Waste and Recycling Services in the Service Area of the Authority. The Solid Waste System is designed to fully accommodate the needs of all potential users regardless of whether all such users utilize the System at any given time. Under the Solid Waste System, a City residential property Owner or Occupant of property may elect to select an Alternate Service Provider for the collection and disposal and/or disposition of Solid Waste, Bulky Waste and Recyclable Materials generated at the City property, and not receive these specific services directly from the Authority. However, the Owner or Occupant, as all other Owners or Occupants in the City that receive service from the Authority, shall be required to share in certain System costs.

This subchapter shall constitute the Rules of the Authority governing the procedures to be followed with respect to an Owner or Occupant of property in the City who elects not to receive Solid Waste, Bulky Waste and Recyclable Materials Collection Services directly from the Authority. The procedures governing Alternate Service were developed to accomplish the following:

(a) Provide a mechanism to obtain critical information from the Owner or Occupant of the Property to ensure that:

- i) Solid Waste and Bulky Waste are being collected in an organized manner by a company, individual, corporation, etc., that is permitted, licensed or otherwise authorized by applicable law to collect Solid Waste and Bulky Waste materials;
- ii) Designated Recyclable Materials are being properly source separated and

collected in an organized manner by a company, individual, corporation, etc., that is authorized by applicable law to collect Recyclable Materials;

- iii) Solid Waste and Bulky Waste materials and Designated Recyclable Materials are being properly delivered to a licensed or permitted and/or properly approved disposal site or facility for either disposal and/or disposition;
- iv) The Owner or Occupant has sufficient information regarding the services the Owner or Occupant will not be receiving from the Authority by not receiving direct service and the System costs and services the Owner or Occupant shall still be responsible to contribute to and the costs associated with those services, so that the Owner or Occupant can make an informed decision.

(b) Provide a standard procedure that is just, reasonable and fair.

(c) Develop a standard procedure to ensure that the Owner or responsible Occupant is in fact the person completing and submitting the required form to the Authority.

B. Application Procedure

(1) The Authority shall make available an appropriate Application for completion by an Owner or Occupant of City residential property who elects to receive Solid Waste, Bulky Waste and Recyclable Materials Collection and Disposal Services from an Alternate Service Provider. This Application shall be available at the main office of the Authority and on the Authority's website. The Application may also be mailed or faxed if requested.

(2) A fully completed Application shall be returned to the Authority. Because an original signature of the Applicant is required, the original completed Application must be returned to the Authority at its office by either mail or by hand delivery.

(3) Upon receipt of the Application, it will be reviewed by the Authority within 3-5 business days for completeness, i.e. all information provided, including an original signature contained thereon.

(4) If the Application is not fully completed, is missing information or is not signed, it will be returned to the sender within that 3-5 business day period set forth above, with a letter explaining the reason for its return.

(5) If the Application is deemed complete, the Authority will proceed with its review. It is anticipated that the review process will be completed within 7-14 business days. Every effort will be made by the Authority to complete its review as expeditiously as possible. As part of the review, the Authority shall contact the Department of Environmental Protection and/or the Union County Utilities Authority, to confirm that the collector identified in the Application, is properly registered and licensed in the State of New Jersey, to collect Solid Waste and Recyclable Materials in the City of Plainfield and has an account with the Union County Utilities Authority for the Disposal of Solid Waste collected in the City of Plainfield.

(6) All Solid Waste generated in the City of Plainfield that is collected for Disposal by any Solid Waste collector must be delivered to the Union County Resource Recovery Facility located in Rahway, New Jersey. That Facility is the County's designated facility to which non-contract Solid Waste is directed pursuant to the Department of Environmental Protection's Certification of November 8, 2001 Amendment to the Union County District Solid Waste Management Plan.

(7) In the event, it is determined by the Authority that the collector, identified in the Application, is not properly registered and licensed to collect Solid Waste and Recyclable

Materials in the City of Plainfield, and/or does not have an account with the Union County Utilities Authority for the Disposal of Solid Waste collected in the City of Plainfield, the Authority will send a letter to the Applicant to advise of the deficiency. The Applicant must either submit a new Application which identifies a different collector, or provide written documentation from the collector to prove that the collector is in fact properly licensed and registered and/or has an account with the Union County Utilities Authority, as applicable.

(8). Once the Application is determined to be complete and the information provided with respect to the Solid Waste collector is verified, the Authority shall issue a Letter of Approval to the Applicant advising that the Applicant can commence Alternate Service. The Letter of Approval is not transferable and therefore cannot be transferred to any other person. The Authority will make every effort to issue a Letter of Approval within the 7-14 business day period from receipt of the form from the Applicant, provided complete and accurate information has been provided and there are no issues regarding the Solid Waste collector identified by the Applicant.

(9). After a Letter of Approval is issued by the Authority, the Authority shall notify the Union County Utilities Authority to advise them that the collector identified by the Applicant, is collecting solid waste from the property in the City. A copy of this letter shall be sent to the Applicant and to the Solid Waste collector.

(10). The Authority's Enforcement Staff shall periodically monitor those residential properties in the City receiving Alternate Service to verify and confirm that the collector identified by the Applicant is in fact still providing service as reported by the Applicant. The Applicant shall be notified by the Authority of any identified deviations or changes in the service, noted by the Authority from what the Applicant initially provided in its form for Alternate Service. The Authority

shall notify the Union County Utilities Authority regarding such changes or any issue of non-compliance by the Applicant that is identified by the Authority.

SECTION X

SELF TRANSPORT SERVICE

Self Transport Service

A. Scope

This Subchapter shall constitute the Rules of the Authority governing the procedures to be followed with respect to an Owner who elects to personally transport household Solid Waste, Recyclable Materials or Bulky Waste generated at the residential property involved by the Owner, directly to an appropriately licensed and approved Solid Waste or Recycling Facility.

B. Application Procedure

(1) The Owner shall submit a written request to the Authority for the appropriate Application and Certification Form.

(2) The Authority shall provide the Owner with an Application and Certification Form and an Information Statement governing Self Transport Service.

(3) Residential, Commercial, Institutional, Industrial and High Density Residential Owners choosing to Self Transport shall submit a completed Application and Certification Form to the Authority. Additionally, all Owners with a lot that bi-sects a municipal boundary line, with one portion of the lot situated within the municipal district of the City of Plainfield are required to submit a completed Application and Certification Form. The information and documentation submitted by the Owner shall include at a minimum:

- (a) the lot and block number of the property involved;
- (b) the billing address of the Owner;
- (c) proof of ownership of the property (i.e. tax bill, copy of deed);
- (d) the name, address, telephone number and facility license number of the alternate disposal facility to be used by the Owner;

(e) a copy of the contract with the licensed Solid Waste or Recycling Facility or a letter of intent from the Facility. The contract or letter of intent shall include at a minimum:

- (i) the commencement date of service;
- (ii) the term of the agreement;
- (iii) the frequency of service;
- (iv) a description of the service(s) to be provided by the facility to the Owner;

(4) Within 7-14 business days after the Authority receives the Application and Certification Form submitted pursuant to (B)(3) above, the Authority shall take one of the following actions:

(a) Issue a Letter of Approval to the Owner advising the Owner that he can commence Self Transport Service. The Letter of Approval shall not be transferred to any other person;

(b) Notify the Owner in writing of missing information; or

(c) Notify the Owner in writing of any information or documentation provided that does not satisfy the requirements of (B)(3) above.

(5) The Owner shall submit to the Authority any additional or corrected information or documentation requested by the Authority within 10 business days of receipt of notification from the Authority of missing and/or insufficient information or documentation.

(6) The Authority shall deny without prejudice the Application of any property owner that fails to submit the additional or corrected information requested, or that otherwise fails to meet the Application criteria of this Section. The Owner may thereafter submit a new Application

and Certification Form for approval to commence Self Transport Service.

C. Reporting Obligations

An Owner who receives approval from the Authority to commence Self Transport Service shall submit to the Authority on a quarterly basis, a copy of the weight tickets or receipts from the licensed Disposal and Recycling Facility. The Owner shall submit this documentation to the Authority no later than the 15th day of April, July, October and January for the period covering the prior three months.